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John Hatch
LEGACY OF SUSPICION
THE U.S. AND THE THIRD WORLD

Denenberg or Flaherty?
Pennsylvania's Democratic Dogfight
Ralph Z. Hallow

RECRUITERS' HARD SELL
THE SMALL PRINT OF ENLISTMENT
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Victor Lebow

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LETTERS

no thanks to ACLU

Washington, D.C.

DEAR SIRS: In "Impeachment at the Grass Roots" [*The Nation*, Apr. 20], Finlay Lewis states that the activities of the local ACLU committees "helped move two New York Democrats—Edward Koch and John Murphy—into the impeachment camp after each had initially expressed opposition. . . ."

I have never opposed impeachment. Indeed, the Tuesday after the Saturday night massacre in October, I joined with others in introducing an impeachment resolution.

Where I have differed with the ACLU is in my support of due process and a hearing by the Judiciary Committee on this issue. The ACLU has drawn a bill of particulars against the President and in December its local members pressed me to move for an immediate vote on impeachment in the House without a hearing. It was astonishing to hear members of the ACLU, of all organizations, proposing such a wanton abandonment of due process. . . .

Furthermore . . . had a vote been taken in the House in December or January without the Judiciary Committee's first conducting its investigation and preparing a case against the President, impeachment would have been rejected. When the committee comes out with its report, I believe the President will be impeached. I believe that the Judiciary Committee's report will support that position and the House will vote to impeach the President. . . .

Rep. Edward I. Koch

paying for Wounded Knee

DEAR SIRS: Wounded Knee is an epic twice told in American Indian experience. The second unfolding now terminates in the trial at St. Paul. Regardless of that trial's outcome, the Fellowship for Social Justice of the First Unitarian Church of Los Angeles has taken on an obligation to help write off some of the large legal expense involved.

An award to the American Indian Movement will be accepted by Russell Means, Indian Leader, at a banquet fund raiser on June 1. . . . Since most donors cannot be with us physically that day, you can be with us in spirit and substance. . . . Please write your check payable to the Fellowship for Social Justice (Indians) and mail to 2936 W. 8th St., Los Angeles, Calif. 90005.

David Seidman, Executive Board
Fellowship for Social Justice

through various prisms

Cresskill, N. J.

DEAR SIRS: Kay Boyle is quite right to have caught me up on my inaccurate allusion to Nancy Cunard's being "satirized" in Michael Arlen's *Green Hat*. [Letter to *The Nation*, Apr. 27.] In my conscientious but less than satisfactory haste to get the review in, I did not reread *The Green Hat*; and I fear I allowed my imperfect recollection of the novel and a synecdochic fancy to link Arlen's sentimentalized portrait of her with those less favorable portraits painted by Huxley and Lewis.

I am indeed sorry for letting the inaccuracy slip in, and for causing Kay Boyle—one no less "remarkable" than her friend—the trouble to correct it. *Robert K. Morris*

Joe McCarthy came late

Cuernavaca, Morelos, Mex.

DEAR SIRS: My one pickable bone with Matthew Josephson, who reviews my *American Inquisition* so sympathetically [*The Nation*, Mar. 9] is that he helps perpetuate the star billing of Joe McCarthy. That Joe was but an episode in an inquisition with already well-established function and techniques is a main point of my book. Carey McWilliams himself devoted a book to the *Witch Hunt* (1950) introduc-

(Continued on page 564)

EDITORIALS

Zebra and Zodiac

From Washington to San Francisco, law-enforcement officials both high and low have presented a sad spectacle in recent weeks. Atty. Gen. William Saxbe's designation of Patricia Hearst as "a common criminal" was unethical, cruel and stupid, but not surprising. Saxbe is a chronic blabbermouth; recently he was rebuked by members of Congress for popping off about the association of "Jewish intellectuals" with the Communist Party during the early 1950s. He had only one discernible "qualification" for the office—predictable confirmability by his doting colleagues in the Senate. So coercive is "the old school tie" in that body that, if nominated, Jungle Jim Eastland could be confirmed as Secretary of State. Not only did the Senate fail to examine Saxbe's interesting ties with the nation's, and perhaps the world's, largest manufacturer of gambling equipment, but it indulgently overlooked a possible technical disqualification arising from the nominee's status as an officer in the Reserves. The nomination was simply another "clever" ploy by the President for the purpose of booby-trapping the Senate, a move whose cynicism was underscored by public discussion of the need to "depoliticalize" the Department of Justice in the wake of Mitchell and Kleindienst. Saxbe's statements do not embarrass Nixon—who could embarrass Nixon?—but they are a national embarrassment and, more particularly, an obvious and acute embarrassment to the FBI, as recent "official" statements of the agency indicate.

In San Francisco, Mayor Joseph Alioto and the police, responding to public fears which their actions could only stimulate, initiated a stop-and-frisk program as part of "Zebra," the code name given the search for the black killer or killers sought in connection with the seemingly random murder of twelve whites and the wounding of six others in less than five months. More than 100 policemen were patrolling the streets in cars and on foot, stopping all blacks who met the rough description of the person sought—that is, a black man 20 to 30 years of age, from 5 feet 9 to 6 feet tall. Those stopped were given a card indicating that they had been checked and cleared by the police, much as South Africa issues odious "pass" cards to its blacks.

Regression to discredited dragnet methods of this sort is the sure sign of panic on the part of the police; not knowing what to do next, they have made the wrong move. The notion that a killer, wanted for questioning in connection with twelve murders, would walk the streets of San Francisco with a .32-caliber automatic in his pocket, knowing that the police had a composite portrait of him and were patrolling the streets, is fanciful to the point of absurdity. The Mayor and the police deny that the stop-and-search program had racial implications. "We're not going to stop white people," Police Chief Donald Scott explained. "We are going to stop black peop'e. We are not going to stop fat black people. We are going to stop slender black people."

But how many men in San Francisco's black community of approximately 100,000 meet the general description of the ones sought? No such orders were issued

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when the police were unable to apprehend Zodiac, a white man who also murdered at random, though they had a much better composite portrait and description of Zodiac than they have of Zebra. In a recent outburst of violence, eighteen murders were committed in San Francisco's Chinatown in four months. No dragnet was ordered, but then these were cases of Chinese murdering Chinese. On the face of it, then, the police adopt "extraordinary" dragnet methods only when blacks murder whites in sufficient numbers to alarm the latter.

Worth noting is the fact that Officers for Justice—the informal organization of black policemen—say that they were not consulted about the dragnet procedure, which they oppose. Nor was the Community Relations Bureau of the police consulted. From what is known, it appears that the ties of the San Francisco police with the black community are few and tenuous. The FBI has concentrated a disproportionate amount of attention on Black Nationalists and Left activist groups; so too have the San Francisco police, a large part of whose budget, incidentally, is devoted to the "vice" and narcotic squads. As a result, neither organization has good leads to either the Zebra killings or the whereabouts of the Hearst kidnappers. The patrols will only exacerbate relations between the police and the black community and, at the same time, contribute to the fears of both black and white communities.

The regression to dragnet methods in San Francisco—in general a notably civilized city—is dangerous precisely because it has unmistakable and undeniable racial overtones. Some sections of the white community share the apprehensions of the black community and a court action has been filed to challenge validity of the stop-and-search orders. But there is little sentiment in favor of strict federal gun control legislation, although it is known that Field Marshal Cinque of the SLA participated in the heist of 200 rifles and pistols in Los Angeles in 1967. Indeed a proposal to arm all white residents would, at the moment, doubtless attract more support than a proposal to start disarming the civilian population, both black and white. Intensive news coverage of the Zebra killings and the SLA kidnapping and bank robbery has aroused widespread fear and indignation. The reaction is understandable but these emotions can be misdirected and with dangerous consequences. For all of us the Z of Zebra and Zodiac is a warning sign.

Who's Isolating Whom?

We hear reiterated warnings—most frequently from President Nixon—about the dangers of a "resurgence" of isolationism. These outcries are in effect a defense of the Nixon policy of American hegemony, but that is a side issue. In at least one conspicuous instance, that of Cuba, we have adhered to a policy of selective isolationism, and it has boomeranged.

Since February 2, 1962, we have imposed an economic boycott on Cuba, in the hope, tenuous at best, of bringing down Castro's government. The justification for this continuing effort was that Castro was trying to foment revolution in Latin America. For his part, Castro was

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discharging, if only symbolically, his debt to the Soviet Union, which subsidizes him to the extent of $1.5 million to $2 million per day. What it amounted to in practical terms may be gauged by Che Guevara's quixotic misadventure in Bolivia.

The American policy has kept Castro dependent on Soviet support and has alienated the United States from most of its Latin American "partners," to adopt Henry Kissinger's new name for FDR's "good neighbors." Mexico never went along with us; a few other Latin American countries cooperated passively and reluctantly. The exceptions were the military regimes in Brazil and post-Allende Chile, for which Castro is as big a bogy as he is to us. At present count, seven Latin American countries recognize Cuba and three more have trade relations, making ten in all that are out of step with U.S. policy. At the same time, we have given a substantial economic boost to our European allies and competitors: in 1972, Britain exported $43 million in goods to Cuba, France $26 million, Germany $20 million, Spain $18 million. On this side of the Atlantic, Canada's exports to Cuba amounted to $56 million in 1972—not bad.

A misconceived policy invites repercussions sooner or later. Perón has now forced our hand by compelling us to allow three Detroit auto manufacturers—General Motors, Ford and Chrysler—to export some $80 million worth of trucks and passenger cars to Cuba. They are not authorized to do this directly but only through their Argentine subsidiaries, which Perón has threatened to nationalize if they refuse to do business with Castro. This roundabout evasion of the embargo entails one grievous fault: the United Auto Workers are growling because there is no work in it for their unemployed members.

The "isolation" of Castro has been both short-sighted and hypocritical. From the outset, what bothered Washington about the Castro regime was what had poisoned our relations with post-revolutionary regimes in the Soviet Union and China. As we saw it, territories governed by such regimes would be forever closed to U.S. products. This is what the policy makers of 1950 meant when they said that we had "lost China"—that is, lost it as a market, as a trading partner. American capitalists (or any other) would trade with the devil if the terms were sufficiently to their advantage and other markets were shrinking. What we failed to realize is that governing regimes face many of the same problems whether they are Communist or non-Communist; that is, they too must provide food, shelter, transportation and housing for their peoples. Once the revolutionary fervor has abated, they have been prepared to trade with non-Communist regimes when it has served their interests. By attempting to boycott Castro into bankruptcy, we merely shifted a large share of the growing Cuban market to our European allies, Canada and certain Latin American nations.

Even some Cuban refugees now see this policy as a dead end. Israel Carmona, a refugee and a non-Marxist, who teaches history at Biola College, La Mirada, Calif., writes in the *Los Angeles Times*: "We must be honest and admit that the revolution, with all its modifications and distortions, has indeed many positive aspects; not all has been negative. Above all, we must realize that the revolution is here to stay and that neither we in our passionate rejection, nor the U.S. Government with its floundering policy, are going to wish it away."

At the OAS meetings in Atlanta, Kissinger was—appropriately enough—whistling Dixie by keeping up the tiresome pretense that U.S. policy toward Cuba is intact, although he appeared to yield a little ground when he said, or implied, that we would not object to Cuba's participation in next year's meeting. Actually, the policy of isolating Cuba is kaput and the sooner we admit it the better off we shall be. But just now Mr. Nixon is more concerned to shore up conservative votes in the Senate against his possible impeachment than to correct a fifteen-year mistake in U.S. policy. However, there are men in Congress who intend to press for change. Rep. Michael Harrington has sponsored legislation (HR 13821) which would repeal various acts under which the economic sanctions against Cuba have been imposed. Given the realities of the situation, his initiative cannot fail to gain adherents in both houses of Congress.

Blank Spaces

The litigation between the CIA and Alfred A. Knopf, Inc., acting on behalf of ex-CIA agent Victor Marchetti and his co-author, John Marks, has taken on the surface appearance of *opéra bouffe*; actually it is a deadly serious matter. First, the CIA tried to prevent publication of *any* exposé of its operations, on the ground that Marchetti had signed what used to be called a yellow-dog contract as a condition of employment. He could not reveal even the location of the men's rooms in the ornate headquarters building of the agency. This brought the American Civil Liberties Union into the case on grounds of violation of the First Amendment.

For a time it looked as if the project would have to be abandoned, but after a year of wrangling, a manuscript was submitted to the CIA, and the agency made 339 deletions, cutting out the offending passages with a razor. A few months later, Knopf, whose legal fees will run to between $50,000 and $100,000, sued the CIA, charging that most of the deleted material had never been formally classified and was in the public domain. The CIA restored exactly half the censored material, but neither the authors, the publisher nor the federal district judge sitting on the case were satisfied; the judge ordered the deletions to be reduced to twenty-seven. That decision is now on appeal by the government, but Knopf and the authors figured that enough was enough, and the book, tentatively titled *The CIA and the Cult of Intelligence*, is scheduled for publication in June, with the 168 deletions demanded by the CIA.

The Knopf firm has long been noted for the elegance of its formats; certainly the Marchetti-Marks volume will be the oddest that ever appeared under its name. The deletions ordered by the CIA and later rescinded will be printed in boldface. The deletions the CIA still insists on will be commemorated by blank spaces. If Knopf is sustained on appeal, presumably some of the blank sections will be filled with still bolder type in later printings, but the first edition is likely to become a collector's item.

However, the most significant blank spaces are not

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those in the book but what citizens, the press and Congress—particularly the Congress—do not know about what goes on under the aegis of the CIA at its Langley, Va. citadel and its far-flung operations all over the globe. Whether or not *The CIA and the Cult of Intelligence* ever gets out of the red, it will have performed a public service of inestimable value, one to which Sen. William Proxmire calls attention in the *Congressional Record*, April 11 (p. S 5929). The fact is that the Central Intelligence Agency is a government within the government, with substantially no Congressional oversight and with the knowledge of the taxpayers confined to its initials. First to be noted is the fact that "intelligence" is only a minor part of its visible budget—perhaps 10 per cent of $750 million. The rest is clumsy dirty tricks, intrigue and counterrevolution. And what the total thus squandered actually comes to, one can only conjecture. As in the Soviet Union, where the military budget is augmented by subventions from hidden sources, the CIA receives generous gratuities, such as the $500 million a year for its war in Laos and the maintenance of its in-house airlines.

Senator Proxmire points out that the CIA oversight committees of both houses have repeatedly scheduled, and then backed away from, hearings on several important bills referred to these committees. He believes the committees are trying to protect the CIA from legitimate inquiry. Censorship of the Marchetti-Marks book, in Proxmire's view, "reinforces the conclusion that many intelligence operations cannot be justified and are only classified because they are embarrassing to our government." Until last year the oversight committees did not know of the existence of the secret charter of the CIA, as set forth in directives from the National Security Council, and even now these can only be read, not transcribed, by concerned members of Congress. House members vote on appropriations, not knowing that under various guises they are voting funds for the CIA. The potential for abuse is enormous; the CIA's involvement in Watergate is a current example but, far more serious, is the mischief-making capacity of the CIA, acting without close Congressional scrutiny and control.

What is needed is a formal inquiry into the role and function of the agency, with staff attendance and full transcripts. Beyond that, the aggregate intelligence budget should be made public year by year and funded on its own merits, itemized in its own appropriations bill.

Sense in Sentencing

When John Dewey remarked that ours is not a government of laws, but of lawyers, he did not have the insane disparity of punitive justice in mind, but it is an outstanding illustration. New Jersey's new Chief Justice, former Gov. Richard J. Hughes, proposes to get some consistency into sentences handed down by the state's 700 courts, and it is surely high time that this be done. In an interview with *New York Times* editors and reporters, written up by Joseph F. Sullivan on April 5, Justice Hughes pointed out that much of the unrest in New Jersey's correction system (a flattering term) could be traced to such discrepancies as one man serving three to five years for burglary, and another fifteen to eighteen years—both sentenced from the same county. Then there was the case of a teen-aged marijuana smoker who, for his first offense, was sent to state prison by a county judge. There he was sexually assaulted, suffered a nervous breakdown and was transferred to a state mental institution.

Justice Hughes feels that no one under 25 should go to state prison. The Trenton state prison, parts of which date back to 1836, should have been torn down years ago and replaced by a number of smaller institutions, but that would cost money. Both voters and judges are inclined to take the easier course of hysteria about law and order; then, when somebody is caught, the remedy is to lock him up and forget about him. In the long run this costs more than a decent correctional system would, but few judges and citizens look that far ahead.

Justice Hughes has other enlightened ideas which, with the personal prestige he commands, stand a good chance of enactment. As Chief Justice, he has asked for a profile of every prisoner—age, type of offense, duration of sentence and record of prior offenses. Analysis of this voluminous information will reveal sentencing patterns and enable Mr. Hughes to initiate new procedures before the end of this year. "I intend," he says, "to reinstate the rule we had when I was on the bench prior to 1957, which required judges to give the reasons for imposing sentence, in writing. I also will require each judge to visit the institution where he sent a man within eighteen months or two years of the sentence, so he'll know what he's doing."

In 1971 Hudson County adopted a program of pretrial intervention, allowing prosecutors to drop charges against individuals who voluntarily place themselves under court supervision (counseling, job referral, drug and alcohol rehabilitation when indicated). The New Jersey Supreme Court has just approved such a program for neighboring Bergen County, the sixth to fall in line, and is encouraging all the state's twenty-one counties to adopt this system. Keeping people in jail is expensive, and only rarely rehabilitative. On the contrary, prisons are becoming breeding places for terrorist gangs warring on society.

The problem Justice Hughes has under study is, of course, national in scope. The federal aspect is covered in an article by Keith D. Harries and Russell P. Lura, "The Geography of Justice: Sentencing Variations in U.S. Judicial Districts" (*Judicature*, April 1974). While this survey covers only federal cases and does not take into account the offender's age, criminal record, etc., it reveals the "anarchy" of federal sentencing, and shows how urgently the reforms advocated in New Jersey are needed in other state and federal jurisdictions.

Stampede

If the Republican Party is shying away from Richard Nixon elsewhere in the nation, it is sprinting away from him in Oregon. There is not a single 1974 GOP candidate in the state who has a kind word for the President. Indeed, even those who now plead, "Wait and see," are looked upon as bleeding hearts or as sleepyheads who are behind the times.

The roll of Republicans who have turned against Nixon is too long to recite. A few examples may suffice.

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Gov. Tom McCall has publicly called for Mr. Nixon's resignation. Sen. Robert Packwood has called for impeachment. Rep. Wendell Wyatt, in issuing a statement that he will not run for re-election from the 1st Congressional District, caustically declared that if Nixon had deliberately planned to create havoc in the nation, he couldn't have done a better job. And Sen. Mark Hatfield, who separated himself from Nixon a long time ago, is beaming, happy in his foresight.

But the cruelest blow to the President took place recently at the coastal town of Seaside during a week of violent wind storms and raging tides, where the tenth annual GOP Dorchester Conference voted 286 to 119 in favor of impeachment. The vast majority of the more than 600 participants do not hold or seek office. They are mostly under 35, people regarded as the "grass-roots leadership" of the Republican Party in Oregon. Delegates came from all over the state and even those from the rural counties east of the Cascades, where the Republican Party is at its most conservative in Oregon, voted yes on the question: "Should the President of the United States be brought to trial before the Senate for 'treason, bribery, or other high crimes and misdemeanors'?"

Some of the speakers in favor of the resolution berated themselves for supporting the President in 1972, a clue to what is expected to become a pattern in the next few months. James McCreight, of Portland, told the conference of his speaking on behalf of Nixon's re-election to high school groups, and added: "If any of these students are present, I apologize for what I told them."

More candidates than any Oregonian can recall have filed for local, county, state and national offices. They run the spectrum from the radical wing of the Democratic Party to quasi-reactionary elements in the GOP. Their stances on each issue will form an interesting variety of options to consider, but on one issue there is unanimity: nobody has the slightest intention of defending Nixon.

RALPH FRIEDMAN

A Movement to Watch

Eugene is the seat of the University of Oregon and a charming town, not large, not small, and a center of culture. Appearances may be deceptive, however, and the Eugene *Register-Guard* reports on a "posse comitatus" movement that will bear watching.

In law, a posse comitatus is a group of citizens recruited by a sheriff when he deems his regular force of deputies inadequate to enforce the law. But in Eugene the term has been taken over by a law-and-order group, at present numbering about forty, without the county sheriff's consent. They have also instituted, with equal absence of legal authority, a "grand jury" to review, according to the *Register-Guard*, "incidents of alleged harassment by government officials." The immediate provocation stems from a controversial proposal to convert a parcel of privately owned land into a sanitary land fill. The leader of the phony posse comitatus declares that its members will defend the property "with guns, if necessary. We don't want to do this, of course. But if it has to be, it has to be."

There follows a diatribe about a scheme of the federal government to develop massive greenbelts and parks along bodies of fresh water, then construct fences around the areas, then electrify the fences and patrol them twenty-four hours a day. "Eventually," he warns, "we will all have to have a permit to get a drink of water."

Palpable paranoia, but when it takes political form paranoia is sometimes contagious. From Spokane, Wash. comes a long A.P. report on "action groups forming in certain Northwest counties to fight what their leaders say is lawlessness and unconstitutional bureaucracy." Here also the posse comitatus label is applied and, as in Eugene, plans for "loyal patriots" to organize on a national scale are bruited about. The slogan is that if authorities "fail to prevent illegal acts, then the posses must."

Apparently the composition of the posses—100,000 members is the perhaps exaggerated claim—duplicates to a large extent that of the National Association to Keep and Bear Arms, an anti-gun-control group based at Medford, Ore. The targets are said to range from "young transients" to the Internal Revenue Service and the Treasury Department's alcohol, tobacco and firearms agents. The announced purpose is to "combat some of this political subversion" and to "restore our nation to constitutional law" by direct action. Watergate seems to have had an effect opposite to what rationalists would expect. "Since the Watergate," a leader declares, "our success has been phenomenal. People started to realize something because of Watergate."

The sheriffs are not going along with these extempore posses, but the A.P. describes them as "uneasy," and anyone who knows the history of vigilante action in the Northwest will share their misgivings. Early in the century 300 IWW members journeyed by tugboat from Seattle to Everett, Wash. to protest against suppression of free speech in an AFL strike. They were met by armed deputies and Chamber of Commerce vigilantes. In the ensuing battle seven Wobblies were killed and thirty-three wounded. Few of the Wobblies were armed and casualties on the other side were fewer—two dead and sixteen wounded. Troubled times lie ahead, and the Northwest is one area to watch.

Consumers May Get a Break

It looks as if legislation to create a Consumer Protection Agency (CPA) will be enacted. Unless the bill, whose chief sponsor is Rep. Benjamin S. Rosenthal (D., N.Y.) is hobbled by amendments, the traditionally helpless mass of consumers may achieve a status approaching parity with business and labor. This blessing we shall owe to inflation. *Business Week* (March 30) quotes a U.S. Chamber of Commerce lobbyist: "With prices soaring the way they are, anything labeled 'consumer protection' is going to be hard to stop."

The importance of the measure is that it will give legal standing to the consumer as a "party of interest" in proceedings before numerous federal agencies. A typical instance is the right of the CPA to testify at a Department of Agriculture hearing on conditions in meat-packing plants, or at proceedings before the Civil Aeronautics Board. Nor would the CPA have to wait for others to

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initiate action: it could request any agency to take up consumer complaints within its jurisdiction, call for judicial review of federal agency decisions, seek information from industry to carry on investigations, request the National Bureau of Standards or other testing agencies to evaluate consumer products and make the results public, etc.

The bill has strong support, but it is not home safe. It has already been modified to meet business objections, but the Chamber of Commerce, the National Association of Manufacturers and the Grocery Manufacturers of America still are, or profess to be, unhappy about it.

However, Representative Rosenthal succeeded in compromising with Rep. Chet Holifield (D., Calif.), who felt that in its original form the bill might harm business interests, and President Nixon's consumer adviser, Mrs. Virginia H. Knauer, has come out for passage—thereby perhaps neutralizing Roy L. Ash, the powerful director of the Office of Management and Budget. Ash, who still sees the world from the vantage point of Litton Industries, was criticized by Holifield and by Rep. Frank Horton of New York, the senior Republican on the House Government Operations Committee. The CPA measure (HR 13163) came to the floor with 36-to-3 committee approval and has been adopted by the House. In the Senate it has won approval of the Commerce Committee —which has a somewhat different measure of its own on the same subject—and of a subcommittee of the Committee on Government Operations. It is now pending before the full committee but should be reported out for a vote in the next two weeks. Since it would be rather sticky for the President to veto such a measure—it calls for only a small budget of something like $20 million—its chances for adoption are good. But until it is finally passed and signed by the President, interested groups should not forget about it.

LEGACY OF SUSPICION

THE U.S. AND THE THIRD WORLD

JOHN HATCH

London

Probably most Americans, like most Europeans, do not realize that for two-thirds of humanity the crisis with which the industrial West has been preoccupied for the past six months remains remote. Few inhabitants of the Third World are concerned personally with the automobile, central heating, air conditioning, power stations, petroleum or electric light. They continue to depend on life's essentials—food, a little clothing and some form of shelter.

Nevertheless, the lives of this majority of mankind will soon be affected by such issues as escalating oil prices, the high cost of minerals and cereals, the expense of the few manufactured goods they can afford to import. Indeed, the countries worst affected by the new astronomical prices of commodities are those in which the population is the poorest, like India, and where new development plans have already been aborted by the impossibility of paying for essential imported commodities.

We are witnessing a revolution in the relations between the primary producing countries and the industrialized world. Traditionally, the industrial nations have used their economic and military strength to acquire cheap materials produced by ill-paid labor and these in turn raise the standard of life now customary in consumer societies. The oil-producing states have now tasted the power given them by their possession of a commodity essential to the industrial world. Other nations will follow their example. A new era of bargaining and negotiation in which the rich world can no longer dictate terms has already opened. Many Third World states are already suffering greater hardships than the industrialized nations. Whether or not they can find a way out of this predicament, developing countries which either possess or discover essential materials will henceforth find themselves in a bargaining posture completely different from what has prevailed in the past. Discussions at the current Special Session of the General Assembly of the U.N. merely underscore this emerging new relationship.

In this new situation, relations between the poor and rich worlds are likely to become more fluid and increasingly fragmented. Already the nine members of the European Economic Community have demonstrated the fragility of their common purpose by competing with one another in making separate agreements for the purchase of oil. Tension is growing between the United States and Europe over the same issue. The oil boycotts against the Netherlands and America did not produce any sympathetic action on the part of the more favored states.

It may be that the United States and the Soviet Union, which are major producers as well as consumers of raw materials, will be cushioned from the more extreme consequences of this situation. Nevertheless, both of them, like the rest of the industrial world, will find that their relations with Third World countries continue to influence crucially both their economic and their political role in global affairs.

The Middle East war has added a new dimension to what was already a volatile situation. It is no coincidence that, with three exceptions, all black African states have joined their Arab continental brothers in severing diplomatic relations with Israel. In Asia, too, sympathy with the Arab cause far outweighs concern with the fate of Israel. This is not simply a matter of religion. It is true that in both Africa and Asia large Muslim communities have an important influence on national

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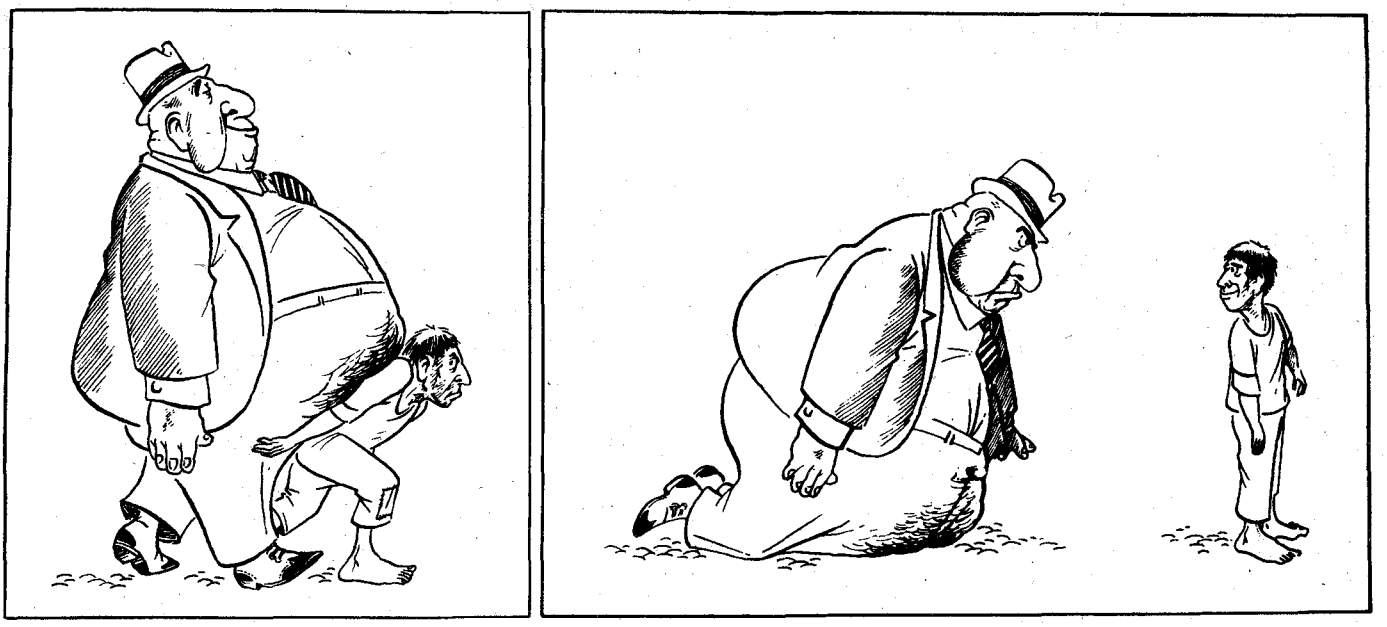

Vadillo, Siempre (Mexico)

policies, and Muslim solidarity has certainly been fostered by the Arabs. But on the other hand, Israeli technical assistance has been so successful in Zaire, Uganda, the Ivory Coast and many other countries, that religious solidarity would never have been a sufficient cause to sacrifice it.

The issue which always supersedes economic and religious interest in Africa and Asia is colonialism. The fact that the Arabs were able to point to Israeli occupation of Arab lands conquered in the 1967 war provided them with the lever to prise Israelis out of many of their influential bases in the Third World when the 1973 Middle East war broke out. Since the armistice, this has been the crucial consideration in gaining massive Third World support for the Arab cause. It will be sustained until Israel has withdrawn from the occupied territories and a peace agreement considered just is signed. It may well be that in the meantime the Africans will demand as their price for continued support that the Arabs review their policies vis-à-vis Portugal, Rhodesia and South Africa. It is relevant to note that the African continent in general sees Israel as one of South Africa's closest friends, if only because of the economic privilege enjoyed by the large Jewish community in that country.

The ambiguous posture of the United States and the Soviet Union in the Middle East has now become one of the main factors in relations between the two great powers and the Third World. In the first place, most of the Third World agrees with the Chinese that the U.S.-Soviet détente may be a retrograde step in international relations. They believe that this tacit great-power agreement froze the Middle Eastern situation until the Arabs broke the ice last October. They fear that Russo-American hegemony over world affairs could be used to crystallize the present division of the world between industrialized and developing nations, between the richer and the poorer, the one-third and the two-thirds of humanity.

The fact that the United States has been seen as the major bulwark of Israel's position—despite Dr. Kissinger's generally admired diplomacy—has provoked increased suspicions of its world role. That this has not produced a corresponding popularity for the Soviet Union is evidenced by President Sadat's expulsion of 20,000 Russians from Egypt. There is a growing inclination to see the United States and the Soviet Union as members of the same rich club.

The fact is that, up to the time of the assassination of President Kennedy, the United States had retained much of its reputation as a major anti-colonial power. The McCarthy period was considered largely an aberration, and even the Bay of Pigs and the early involvement in Vietnam had not totally destroyed this image by 1962. Roosevelt's hostility toward European imperial ambitions and his criticism of Churchill's attitude to the British Empire laid the foundations of this reputation. Kennedy was seen as a romantic knight destined to extend Roosevelt's ideals into the actual destruction of colonialism. With his death, and with the increasing involvement in Vietnam, the intervention in the Dominican Republic, the attitude toward Cuba, the breach of Rhodesian chrome sanctions, and American friendship with Latin American dictatorships, the Portuguese and the Greeks, this reputation disappeared. In the past ten years, the United States has come to represent to most of the Third World the heartland of capitalism, the leadership of great-power hegemony and the fount of interference in all regimes unwilling to accept client status.

The second major factor governing relations between the United States and the Third World is that of economic ideology. No sophisticated observer believes that the United States Government deliberately set out to destroy the Allende regime in Chile. Few would doubt, however, that a combination of machinations from institutions like the ITT, the CIA and the Pentagon made the coup possible and is likely to sustain the military regime for the foreseeable future. As new data emerge from the murk of capitalist intrigue, it is increasingly considered that American objectives in such instances

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are economc rather than political. It has been conclusively shown, for instance, that the United States gains much more wealth from its overseas operations than it invests abroad. At the second UNCTAD conference it was estimated that the net transfer of funds from the United States in 1966 to developing countries was $11.5 billion. America received from the same countries $59.4 billion. According to the U.S. Department of Commerce, between 1960 and 1968, the United States earned $9.9 billion from direct investments in Latin America, of which $7.7 billion were repatriated to the United States.

This brings up the whole question of economic aid and the operation of the multinational companies, most of which are based in the United States. The power of such companies can scarcely be overestimated. General Motors, for instance, has annual sales which exceed the combined GNPs of all black African states. The influence which the multinational companies now exert throughout the world is often far greater than that of the most powerful national government, rendering many so-called democratic institutions farcical. The role played by the mainly American oil companies in the current energy crisis has still to be analyzed, but nobody, including Congress and the Senate, is inclined to play it down.

Meanwhile, the economic concerns of the industrial world are already being given as excuses for reducing economic aid from the rich to the poor. Even if the new oil revenues of the OPEC states were to be entirely devoted to economic development in the Third World, they would provide only a tithe of the customary provision from the much richer industrial states. Yet already it is reported that, as a result of the attitude of Third World countries during the oil crisis, the aid commitment made by leading industrial nations to the World Bank's Industrial Development Association at the Nairobi Monetary Conference last September is likely to be abrogated. The United States pledged to provide 33 per cent of the $4.5 billion committed; it now seems certain that it and its partners will renege on this promise. On January 23, the bill to vote this money was rejected in Congress by ninety-three votes.

The new parsimony in the provision of economic aid comes at a time when the United States, COMECON, the EEC and the Japanese seem on the verge of trade wars based on a protectionism that is bound to restrict still further the exporting opportunities of the Third World's infant industries. Not only has the percentage of the industrial world's increasing GNP allocated to economic aid been sadly falling over the last decade, but the developing countries' share of world trade declined from 21 per cent to 18 per cent during the 1960s.

Thus the poor two-thirds of the human race faces the prospect of becoming even poorer while the rich one-third has been rapidly increasing its standard of living, even if this may suffer a temporary pause. Because of its economic and military strength, the United States is considered by most of the Third World to be the guiding hand in this process. The United States provides 40 per cent of aid to the developing countries, 30 per cent of their inflow of private capital and 20 per cent of their export markets; accordingly, the United States is considered to be the dominant influence on relations between rich and poor countries. It is seen to be increasingly interested in securing profits out of investment in South Africa's apartheid system, and it is recognized as the major prop of what is believed to be Israeli expansionism in the Middle East. Its own domestic system is still seen to be prejudiced against the black section of its own population. Its multinational companies are increasingly recognized as exploiting cheap labor and materials in the Third World in order to increase the profits and power of the companies themselves, while augmenting the astronomical heights of the American standard of living. Successive American administrations, through their various institutions, are seen to have undermined those regimes hostile to capitalist exploitation from outside, and sustained those, whatever their political character, that will accept client status.

This relationship may change. Increasing numbers of Third World leaders are recognizing the necessity for self-reliance, adding economic to political independence. Their power is augmented by the increasing demand for their commodities from the industrialized world. But this is the legacy of suspicion from which any new relationships are bound to start. □

DENENBERG OR FLAHERTY?

Pennsylvania's Democratic Dogfight

RALPH Z. HALLOW

Pittsburgh

One evening last year, five months before Herbert Denenberg—who is perhaps the most famous insurance commissioner in American history—began his underfinanced campaign to win the Democratic nomination for the U.S. Senate, he was in town with his wife. We took a cab to the top of Mount Washington for a view of the city's lights on the three rivers below. Throughout the drive, Denenberg berated the cabbie for not having seat belts, head rests or plastic knobs on the sharp metal door locks. The driver said that it was the company's fault. Denenberg said, "That's a lot of baloney. Unless you guys raise hell, those bastards won't spend a dime on safety. And who fixes these potholes? I've never seen so many. What's the matter with your Mayor?"

Nothing's the matter with Mayor Peter Flaherty, as far as most Pittsburgh voters are concerned, except that they

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fear losing him to the U.S. Senate if he defeats Denenberg in the May 21st primary and then goes on to beat Republican Sen. Richard S. Schweiker in November. The smart money in the state says not a chance—for Flaherty or Denenberg. The fix, they claim, is in. Hated by the party and the "special interests" for his famous "nobody's boy" independence, Flaherty, whose campaign so far has been even less well financed than Denenberg's, will win the primary because the Democratic organization will get out the vote. Then, insiders say, the party will dump him in the general election.

The reason given for this caper is that Democratic Gov. Milton J. Shapp doesn't want two Jews at the top of the ticket; that is, the tough, abrasive consumer's champion Denenberg for Senator and the liberal Shapp for re-election as governor. Other key Democrats I've talked to across the state say that Shapp is right: to re-elect a governor—who has the patronage to offer that a Senator does not—the party achieves its best ticket balance with the handsome 49-year-old, soft-spoken Irish Catholic from the western part of the state and the "uncharismatic" Shapp from Philadelphia in the east. The point would be not to elect Flaherty but to get enough straight-party levers pulled in November to give Shapp a margin of safety.

But neither he nor the party wants to reward Flaherty for his continuing independence from the local and state party organization. Indeed, Shapp and the state Democrats may be content to let Schweiker, the liberal Republican, remain in the Senate. Earlier this year, during the fuel-shortage strikes of the truckers and gas station owners, Shapp won favorable national attention as the only Governor to go personally to Washington and try to mediate the strikes with the Nixon Administration. Shapp allowed Schweiker to appear with him on television and echo his anti-Nixon words (important for Schweiker in Year II of Watergate). A Democratic-Republican deal on behalf of Shapp and Schweiker is not unthinkable—in which case Flaherty and Denenberg and the little-known Drew Lewis, a Philadelphia businessman and Shapp's GOP opponent, would be mere diversions in a drama directed by others.

Another reason to believe that the Democratic State Committee will get out the vote for Flaherty in the primary only to desert him in November is the money and influence of organized labor. Even before Denenberg and Flaherty had announced, the state AFL-CIO endorsed Schweiker, the only Senator with a voting record that labor rates 100 per cent.

Michael Johnson, a Pennsylvania AFL-CIO vice president and Democratic National Committee member, also arranged for labor's Committee on Political Education (COPE) to offer Denenberg a deal: financial support in 1976 against Senate Minority Leader Hugh Scott, who will then be 76, if Denenberg would not run against Schweiker. Denenberg declined. Labor, in any case, prefers not to spend money on a Pennsylvania Democrat when it already has a friend in Schweiker.

Organized liberals are split between the AFL-CIO stand and Denenberg. The ADA, made up for the most part of wealthy business and professional people whose financial support can make a difference in a campaign, are inclined to think that an incumbent like Schweiker should not be penalized for being a Republican. They also told Denenberg to wait for Scott in 1976. The membership of the McGovernite New Democratic Coalition chapters is somewhat younger and less well-heeled but it can provide the doorbell-ringing cadres for a candidate. In general, these people favor Denenberg, though some of the younger members cannot stomach his opposition to abortion and gun control and his qualified endorsement of capital punishment. Because his positions on these issues are almost precisely those of Flaherty, they cancel out. Both men avoid facing the militant opposition of the sportsmen and the National Rifle Association (which helped defeat Pennsylvania Democrat Joseph Clark in his re-election bid for the Senate in 1968). They also don't risk the ire of the "pro-life" groups, who oppose liberal abortion laws, and the majority of voters who, the polls say, favor capital punishment. Denenberg maintains that he genuinely believes abortion to be wrong, and says that he would support a constitutional amendment against it. Flaherty merely says that, although he personally opposes abortion, the Supreme Court has already decided the issue and one should obey the laws of the land. He may believe that, being a Roman Catholic, he can afford to waffle a bit.

If Denenberg and Flaherty are virtually indistinguishable on these peripheral issues, most politicians, reporters and editors I've talked with across the state believe that Denenberg has it all over his opponent in terms of intellect and experience. Since Shapp appointed him nearly four years ago, Denenberg has turned the obscure office of insurance commissioner into the toughest regulatory agency in the nation. He has issued 600,000 copies of twenty-six shoppers' guides he's written. The first of them rated hospitals; the second, auto insurance policies that are sold in the state. Others graded the available kinds of life insurance. His guide on dentists estimated that 15 per cent of them are dishonest, incompetent or both. He has called 20 to 25 per cent of all lawyers in the United States incompetent. He forced hospitals to buy generic drugs and castigated surgeons for performing unnecessary operations. He ordered life insurance companies in the state to stop pooling confidential medical and personal information about clients without informing them that this was being done. He claims to have turned down more than $300 million in requested rate increases. He says that he prodded Blue Cross into forcing hospitals to tighten cost accounting and controls.

He has attacked the trial lawyers' lobby and its hip-pocket legislators in the state for blocking the toughest no-fault auto insurance bill in the nation. As a group, doctors, lawyers, dentists, hospital administrators and insurance executives and agents hate him. They demanded that Shapp fire him; the Governor refused. On March 29, the day he resigned his job and began campaigning, Denenberg told newsmen, "As you know, this is my last day as insurance commissioner, and the doctors, lawyers and insurance companies have declared a national holiday." Denenberg clearly knows how to use the press.

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He also boasts that an Oliver Quayle poll last year gave him a higher recognition factor among state voters than Shapp or Schweiker, and that people trust him even more than they do Walter Cronkite.

Born in Omaha of immigrant parents, Denenberg got the highest marks in the history of Creighton University, where he earned a law degree. He received a sociology degree at Johns Hopkins, a master of laws degree from Harvard and a doctorate in applied economics from the

Ed Eckstein

Herbert Denenberg

University of Pennsylvania. There he was earning $62,500 a year as a consultant, author and the first Loman professor of property and liabilities when he quit to become insurance commissioner at $25,000 a year. Now he's without salary.

Flaherty, on the other hand, will continue to earn his $35,000-a-year Mayor's salary and, if he loses this year, will still have a political base when Hugh Scott's term expires in 1976. Although inflation has raised city spending by about $5 million a year, he has been able to eliminate the 1 per cent wage tax, reduce real estate taxes by 4 mills on land and 2 mills on buildings.

It happens that he first took office in 1970 on the wings of a record 20 per cent increase in real estate taxes and has since been helped by federal revenue-sharing and rising property assessments. Nevertheless, Flaherty's record as a cost cutter is clear. He reduced the patronage-laden city payroll from 7,000 to 5,600 employees, but that made him enemies among the city and county Democratic organizations—and among the fired employees and their families. He successfully fought a strike against the city by Teamsters and garbage collectors—and made enemies in the unions. He brought an unprecedented measure of honesty to traffic court—a traditional source of patronage and graft in big cities—and thus brought hundreds of thousands of dollars in traffic fines to the city. Flaherty reformed the police bureau, disbanded the often brutal Tactical Police Force units, reduced the number of police and yet lowered the city's crime rate.

One reason for the animosity displayed toward him—both by thoughtful people who wish to see the city prosper and by other people, whom he might call the legal, property-speculator, old-politician, councilmanic, underworld, industrial complex—is his hostility to a convention center. He suspects that it would cost more in taxpayer subsidy than it would generate in business revenue and thus drive more city residents into the surrounding 128 municipalities in Allegheny County. But taxes are already high in many of the suburbs—and getting higher. His critics argue that, since almost every other major city already has or is building a convention-exposition center, denying one to Pittsburgh will contribute to its economic demise.

Another stand that puts him at odds with the local "power elite" (of which by definition he is a part) has been his leadership of twelve township and borough mayors of the county in a so far successful opposition to a $295-million rapid transit plan. The portion of the scheme to which Flaherty most objects would cost about $212 million, cover less than 11 miles, and serve a small portion of the county and little of the city. It would use the untried technology developed by Westinghouse Electric Corp. (headquarters in Pittsburgh) of elevated, rubber-tire-on-cement "Skybus" vehicles, automated and perhaps unmanned, with a five-minute headway between trains. The Skybus system is designed to be expanded later to serve more of the city and the suburbs. It would cost the county (including Pittsburgh) $6.9 million to construct, with the state paying $36.1 million more and the federal government contributing the rest of the $212 million. According to one study, Skybus would run at a $1.25 deficit per rider, demanding $5 million to $8 million a year in additional subsidies for the already deficit-ridden Allegheny County Port Authority.

Like convention centers, technologically innovative urban transit schemes can be logically argued both pro and con. (Witness the Bay Area Rapid Transit System in San Francisco.) All technology is "untried" until it's put into everyday use. But Flaherty's obstruction of Skybus is popular with the voters. For his across-the-board frugality (and honesty) they nominated him on the Democratic ticket last May and, by write-in, on the Republican slate—so that, in an unprecedented electoral coup, he ran unopposed for re-election in November. Yet he has never proposed a comprehensive, detailed counter-plan to the transit proposal, even though the streets of his city remain as clogged at rush hour as Manhattan's.

If there is intelligence and good will on both sides, Flaherty's brand of politics seems to prevent him from discussing his views, or anything else, with many "special interest" groups. Although he denies it, especially now that he's in the Senatorial primary, he generally refuses personal audience to organized and neighborhood groups, whom he considers unrepresentative elitists, and to liberal Democrats who helped win him his first primary in 1969 when he ran against the party-backed candidate. His most conspicuous inacces-

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sibility, however, is the news media. He has never met, or allowed his chief aides to meet, with the editorial boards of the city's two daily newspapers. This suggests an ominous Nixonian streak of fearful secretiveness, particularly unfortunate in a man whose personal honesty and administrative integrity are undisputed even by his severest critics. (Of him I wrote three years ago [*The Nation*, April 19, 1971] that the "administration of Mayor Peter F. Flaherty of Pittsburgh may provide the first textbook on the theory and practice of new politics in America.")

His hostility toward the press first emerged a few months after he had taken office in 1970. Because he believed that the print and broadcast media reported and editorialized about him unfavorably, he began holding fewer press conferences and granted no personal interviews to local reporters. Even out-of-town reporters, whom he tends to see privately on a one-time-only basis, report that his press secretary rarely returns telephone calls. In his first year, neither he nor his aides had the courtesy even to reply to an invitation from *Post-Gazette* publisher William Block for a dinner meeting with the newspaper's editorial board.

Four years later, when Flaherty publicly opposed the state Human Relations Commission's forced-bussing order for better school integration, I called his press secretary once more to try to arrange a meeting between the Mayor and the editorial board to discuss the issue. (Flaherty opposed bussing for fear that it would drive more whites into the suburbs and further shrink the city's tax base. Some of his critics wondered, however, how much his opposition was aimed at reinforcing his popularity with the white voters, who are 80 per cent of the city's population.) The press secretary sounded enthusiastic about the interview idea, but asked, "Who, by the way, did you say the editor and publisher are?" He said that he'd "put it before the Mayor." I never heard from him.

Flaherty spurns invitations to appear on the city's one public and two commercial TV stations but performs for the third station, the Westinghouse-owned CBS outlet, KDKA-TV, where reporters treat him with a diffidence verging on obsequiousness. In a rare "talk-show" interview with a radio reporter last year Flaherty explained his attitude toward the media:

> *Question:* Now, Mayor, you have just virtually accused certain news media in town of being special interests. What about KDKA? Isn't KDKA a special interest . . .?
>
> *Answer:* [T]here is no question that the news media is [*sic*] owned by corporate interests and they align themselves generally with the private interests. When I ran for office I said I would run with the interest of not having ties with any particular private interest. That goes for the news media as well as any other private interest groups—so I think that the mayors of this city in the past had generally a coalition with the private interests. [W]hen I get the opportunity to discuss some of the issues and have the freedom of choice to select what station I can go on, there is surely freedom of the press and there is freedom of speech and I agree with those freedoms—that I have the right to freedom of choice. It so happens that KDKA has probably a very wide coverage and it's convenient for me to use it. That's mainly my reason. . . .

Although his political puritanism could never win the affection of the racketeers and wheeler-dealer politicians who used to get along with City Hall, Flaherty's fiscal conservatism could win him the admiration of the more high-minded "special interests." But what he seems unwilling or unable to accept is that such men and women, because of their wealth or leadership, understandably expect mutual respect between themselves and the Mayor. When opposing some of their favored projects, he need not treat them uncivilly. But for Flaherty, apparently, personal pride or his new politics or both preclude diplomacy. Perhaps he fears that the temptations of propinquity lead to political sin.

Even Flaherty's prized independence has been questioned since he entered the Senatorial primary. He admits to having visited Mayor Rizzo and Democratic boss Camiel in Philadelphia and to having met with Democratic state Chairman Harvey Thieman, a Shapp protégé. But he denies that he sought their endorsement. Political wise men are amused, asking, "What was he talking about with them, the weather?"

Until mid-April, Flaherty hadn't issued a single press release, or opened a headquarters in all-important Philadelphia, or even called a single press conference. His statewide campaign staff appeared to be his wife, Nancy, and his brother, James, a Pittsburgh attorney. In Philadelphia, where Denenberg is even more widely known than in Pittsburgh, and with only a few weeks remaining before the primary, reporters were calling Flaherty's campaign "invisible."

Such underselling of himself contributes to the widely held suspicion that Flaherty must be relying on Camiel to call in his ward chairmen before the election and give them the word—and perhaps vote-buying money supposedly collected in cash at Democratic fund-raising dinners—to get out the vote for Flaherty. The reasoning is that Camiel would be responding to Governor Shapp's rumored deal to help Flaherty if Flaherty would oppose Denenberg instead of Shapp in the primary. However, because Mayor Rizzo, with whom Camiel was feuding, has openly endorsed Flaherty from the beginning, a leader of one of the union locals backing Denenberg reasons that Camiel will not go out of his way for Rizzo's friend, Flaherty, on May 21. But the maneuvering has been more complex than that. Last year, when Rizzo himself was preparing to challenge Shapp at the polls, he charged the Governor with using a state crime commission investigation into Philadelphia police corruption to discredit Rizzo. Then, curiously, the "law and order" Mayor and former policeman volunteered for, and failed, a polygraph test.

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Having thus knocked himself out of contention, Rizzo subsequently endorsed not only Flaherty but also Shapp (to indicate, apparently, that he, Rizzo, was now a loyal Democrat).

Finally, on April 18, with five weeks to go, Camiel crushed the secret hopes of the Denenberg staff that he'd hold out. After a forty-five-minute luncheon alone with Flaherty at the Bellevue-Stratford Hotel in Philadelphia the day before, Camiel announced his personal support of Flaherty. Operationally, that meant that almost surely all the sixty-six ward chairmen in Camiel's city organization—except perhaps for the few who privately committed

Berman, Pittsburgh Post-Gazette

Peter Flaherty

themselves earlier to Denenberg—would move the full weight of the machine (and perhaps its vote-buying power) behind Flaherty. Although long expecting the move, the Denenberg staff was shaken. Denenberg, for the first time sounding less than confident, said that the move showed that Flaherty, far from being "nobody's boy," was the organization's boy and that he, Denenberg, was the only independent left in the race. Whether voting-age Pennsylvanians would regard that as sour political rhetoric by Denenberg, or agree that Flaherty is an ersatz maverick or one fallen from the grace of independence, may matter little if, in a typically low turnout primary, the state organization is able to get the levers pulled for Flaherty.

Moreover, it is conceivable that, to win the primary, Flaherty need not take Philadelphia but only the west and the largely rural center of the state where his conservatism is especially popular. In Allegheny County (which includes Pittsburgh), even if he weren't a popular Mayor, Flaherty needn't worry much. The Democratic Party, split between a wing controlled by the county commissioners and another by the sheriff, who is also the county Democratic chairman, will get out the machine vote for Flaherty. They desperately want to rid themselves of his anti-organization, no-deals politics.

If Flaherty's alienation of so many "special interests" accounts for his campaign's having no visible means of financial support, Denenberg's situation is not much better. The doctors, lawyers, insurance people and hospital administrators will not contribute a dime to his campaign. Nor will most wealthy Jewish liberals in business and the professions, who could normally be counted on to open their wallets to a dynamic liberal Democrat. Denenberg believes that they're abiding by Shapp's opposition to "two Jews at the top."

In any case, Denenberg's campaign had raised by early April only $38,150. His staff, which matches him in inexperience in running for public office, planned to have a bank of forty telephones in their Philadelphia headquarters for soliciting votes and money; they could afford only six. In Pittsburgh they planned a bank of thirty phones but ended up with four. Although the staff claims to have a statewide list of 1,200 volunteers, it hasn't the money to provide them with literature, bumper stickers or buttons. Denenberg's press secretary, Robert Hoffman, says he has a list of 13,000 potential contributors but hasn't the $1,500 for postage to solicit them. "We sent out one mailing to 5,000 people and so far got back $1,200 in contributions," Hoffman said. Thus far it's clearly a peanuts campaign.

If Flaherty has no problem with his wife-and-brother staff, Denenberg has plenty with his. At the beginning it numbered six full-time workers in Philadelphia, seven in Harrisburg (the capital) and four in Pittsburgh. In revolt from the beginning over his positions on abortion, the death penalty and gun control, it has received paychecks only sporadically and has taken, Hoffman claims, severe pay cuts. One 31-year-old member, who was making $22,000 a year as a legal assistant to Denenberg at the insurance commission, joined the campaign at $300 a week, and quit when he was cut to $200. Larry Hochendonner, 26, was legislative liaison for the state Welfare Department before he became chief campaign coordinator at $300 a week—then reduced to $200. As press aide to Denenberg in the insurance commissioner's office, Hoffman, 25, was making $14,600. He joined the campaign for $125, then took a cut to $100 a week.

However, it's the similarity between the candidates rather than their lack of money that explains why their contests have raised so few issues. Both claim to be independents. But Denenberg openly sought the party's endorsement, only to have Shapp and the party declare it an open primary (to avoid a head-on collision between the Governor and his popular insurance commissioner). Flaherty, who almost everyone believed would tackle Shapp in the gubernatorial primary, soiled his independent image for politicos and some reporters, but probably not for the mass of voters, by appearing to have sold out to the party when he went for the Senate instead. Flaherty, furthermore, showed up at a South Philadelphia restaurant with all the Democratic bosses, a meeting at which no true maverick should wish to be seen. Flaherty flashes his credentials as the taxpayers' friend; Denenberg waves

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his as the consumers' champion. Flaherty wants a balanced federal budget; Denenberg says that government's the number-one consumer fraud. Asked by a reporter for *The National Observer* what he'd do about it, Denenberg said, "First I'd expose the members themselves. They've got oil and banking interests and they're voting for themselves. . . . Then I'd work for full disclosure of where all their money comes from. I'd work for conflict of interest laws, and then I'd push for open meetings. After I was finished with that, I'd start blowing the whistle on the goddamn federal regulatory agencies." Asked how he'd do all that if, as a freshman Senator, he was appointed to the Forestry Committee and, if lucky, to the Joint Committee on Printing, Denenberg said, "Who cares? One way or another I'd have a field day down there."

The line was so good that Denenberg had the whole *National Observer* story, headed "Could the Senate Survive Denenberg?," photocopied as the only campaign literature he could afford to pass out. It was more than Flaherty could afford. But then, he has the Democratic organization behind him. □

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THE SMALL PRINT OF ENLISTMENT

KEVIN McAULIFFE

The track record of the volunteer army has so far confirmed several of the original predictions of its critics. Late last summer the Army and the Marines both admitted reaching only 80 per cent of their quotas; the Army, having failed for six months running to meet its quota, dropped its self-imposed 30 per cent ceiling on high school dropouts. Recruits are averaging 25 per cent black, twice the ratio in the general population.

The cost of recruiting this insufficient body of volunteers went up $144 million—64 per cent—in the first year. Much of the increase was spent on advertising; counting its free "public service" air time, the Pentagon used more advertising than General Motors, $80 million worth to G.M.'s $65 million.

Though that ad campaign was largely aimed at the 20 per cent of unemployed youth presumably hungry for the job training the services offer, it did not mention that 7.7 per cent of Vietnam veterans are unemployed, or that 80 per cent of the specialties in which the military provides training accounts for a grand total of 10 per cent of the jobs available in civilian life.

Some recruiters have even resorted to fraud to raise their totals. Late last year, *Army Times* reported actions (one a court-martial) taken against 143 recruiters for a family of abuses—fake high school diplomas, bogus parental consent forms, phony vouchers, crib sheets, suppressed police records—spread over thirty-seven states. The Baltimore *News-American* revealed last fall that at least one colonel had been transferred for overlooking such violations.

When the draft ended, an *ad hoc*, anti-draft legal research and aid project that had been drawing upon a rotating membership of thirty-odd Boston area law students, changed its name from Committee for Legal Research on the Draft to Committee for Military Justice, and kept operating out of its basement headquarters at Harvard Law School's Langdell Hall. Since then, according to "counter-recruiter" Rich Chase, "there's been a surprising amount of casework. And it's on the increase"; a recent mention of the committee in *Penthouse* brought in 250 letters.

Though the committee is still handling delayed Vietnam-era draft prosecutions (seventy-nine indictments were handed down in Massachusetts during the year-end holiday session), its new caseload stems from a massive legal research memo compiled late in 1972 by former members John Hanley and Tom Johnson. With a prophetic prelude, "We can expect enlistment contract law to grow in importance from the simple fact that enlistment is now the armed forces' only means of manpower procurement," they applied to the enlistment contract—DD Form 4—the scrutiny that had been devoted to the draft law by countless of their predecessors throughout the United States and Canada.

It may not be particularly surprising that any ambiguities and snares in DD Form 4 and its spin-offs do not work to the advantage of potential recruits. What is surprising is that such research has apparently been carried on only by the Cambridge outfit. At the February 2-3 Counter-recruiters' Convention in Baltimore, member Steve Bachmann presented a précis of obstacles involved in a legal attack on DD Form 4 and a brief, tactical primer. None of the other nearly forty groups represented had anything like it. "There's been almost nothing done on the enlistment contract," member Gary Holdeman says. "The courts have been reluctant to interfere; they're staying out of running the Army. Meanwhile, the volunteer army concept has led to abuse."

The contract itself enjoys a state of legal privilege. Item 83 in the Universal Code of Military Justice binds the recruit to the contract, but not necessarily the service he enters. Way back in 1890, in the case, *In re Grimley*, the Supreme Court analogized enlistment to marriage: breach does not necessarily nullify the contract. Later, in *Bell* v. *U.S.*, the Court's interpretation was that a recruit elects a "change in status" from "a citizen to a soldier";

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therefore, no breach of contract alters that "new status" and its obligations. And in *Adams* v. *Clifford* (1968), a federal district court found that "Rules applicable to ordinary contracts do not, in fact, apply to those in military service."

The Harvard group officially refers to the contract as "the instrument," since, as Bachmann explains, "the word 'contract' calls up notions of fair shakes and square deals which the enlistment situation does not offer." For one thing, "an individual who breaks a normal contract seldom goes to a stockade or court-martial"; for another, once adultery has been established in a marriage, "the disgruntled party can shed his/her status of spouse with fairly little trouble. As for enlistment . . ."

Hanley and Johnson concluded in their master memo,

St. Louis Globe-Democrat

"He Is *Standing at Attention, Sir."*

"Were the enlistment instrument subject to classical contractual criteria, it could easily be argued that it cannot legally be viewed as a contract." They found three soft legal areas:

¶*Adhesion*, i.e., a contract not drawn up by two negotiating parties but presented by one to the other on a take-it-or-leave-it basis. The precept took hold in a 1960 consumer case against the fine print in a deal offered by a Bloomfield, N.J. car dealer, and "disparity in bargaining power" was the weapon used by a California court in 1964 to nullify a contract. Says the memo: "It is exactly this type of bargaining power superiority which the military uses to construct a one-way relationship with its enlistees"—through its ads, widespread youth unemployment, latent fear of the draft, shrewdly put waiver clauses, and "the general monopoly which the military has over the 'goods and services' it has to offer." The cases brought by recruits in recent years and months have yet to offer a definitive test.

¶*Coercion to Relinquish Constitutional Rights.* This is another recent legal trend, buttressed by a 1972 Supreme Court ruling that nullified a contract which deprived a citizen of property without "due process." Unfortunately, as the author/researchers confess, applying the theory to individuals, particularly soldiers, is "without the support of either case law or analysis. . . . We have not been able to find a case where a due process claim was successfully asserted by a soldier against an action of the military based on 'war powers.' "

The Supreme Court itself cited "the transcendent importance of the war power" in the 1953 case, *Burns* v. *Wilson,* and the "change of status" situation has also been applied to support the military in *U.S.* v. *Cuttingham.* Two direct "due process" attacks on the "war powers" were lost at the U.S. Circuit Court level in 1969—*Schwartz* v. *Franklin* (9th) and *Karpinski* v. *Resor* (3rd). In 1971, a reservist named Antonuk challenged his call-up before the 6th Circuit and was informed that military due process "requires us to measure the Army regulations not against some constant standard, but instead to determine whether the regulations were followed."

"Interestingly enough," notes Bachmann, "even prisoners in jail are now being acknowledged a minimum of rights. What the G.I.'s minimum is has yet to be outlined."

¶*Lack of Mutuality.* In the contract, there is "no description or delineation of the enlisted man's contractual obligations beyond the blanket submission of the oath," in which the recruit is made to promise rather vaguely to "obey the orders of the President of the United States and the orders of the officers appointed over me, according to the regulations, and the Universal Code of Military Justice. So help me God." Nor is there "any mention of considerations or compensation to be received in exchange for the services rendered, or any mention at all of the range and scope of the military's other commitments to the enlistee."

The "right of recision"—wiping out the contract—belongs only to the service. Further, the military can unilaterally change the contract's nature after the fact—by an extension of service per act of Congress, a transfer or job shift—much as the government can in a normal government contract. This is the most promising route to springing a recruit; not only is "its civil law theory well established," the memo finds, but "the courts have shown an inkling of support" for citing it against "disproportionate burdens of enlistment."

They have stopped there, however, and the argument "will probably remain applicable" to the contract itself. This was the pattern in the 1972 case *Fire* v. *Chafee,* decided against the Navy by California Judge Lloyd H. Burke.

The contract is, if anything, more tricky to challenge in practice than in legal theory. The Marine Recruiting handbook itself says that "selling a qualified young man on enlisting in the Marine Corps is somewhat like the challenge of separating a person from his money for a product he needs or has been persuaded to believe

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he needs. It demands the best of salesmanship." And back in draft-era 1971, even the hawkish House Armed Services Committee warned against "recruiters who make or imply a promise of a desired assignment which they have no authority to promise," and urged the services to "explore the possibility of requiring the recruiter in writing to [tell] potential recruits that they have no authority to promise any kind of duty."

Regardless of what verbal inducements are implied, the recruiter and the service cover themselves for the record. In the merger clause, item 54 of the contract, the recruit signs an oath saying, "I have had this contract fully explained to me, I understand it, and certify that no promise of any kind has been made to me concerning assignment to duty, geographical area, schooling, special programs, assignment of government quarters, or transportation of dependents except as indicated." And there is no way it can be indicated: in a supplementary Statement of Understanding that is attached to every contract, the recruit must, referring back to statements in the contract proper, swear "that these statements are intended to constitute all promises whatsoever concerning my enlistment. Any other promise or representation of commitment made to me in connection with my enlistment is written below in my own handwriting, or is hereby waived. (If none, write 'none.')" According to regulations, the recruiter may not allow any entry other than "none" to be entered. Regardless of what might happen to other rules, that one is certain to be followed.

But, in fact, recruiters would be lost without fairly lucrative options to dangle—like job training, the "buddy system," or CONUS (service in the continental United States). A typical spiel, as phrased by Gary Holdeman, might go like this: "If you qualify, we'll give you your choice of training and put it in writing before you sign up. If your friends join, we'll guarantee you and the group your first fifteen-months tour of duty together. And if you want, we'll give you at least sixteen months with the unit you choose."

But there is a catch. After the sixteen-month CONUS guarantee is used up, the recruit swears at enlistment time he will agree to "be trained and utilized in accordance with the needs of the [service] and be required to complete the terms of my enlistment." If a job training course is discontinued, or if he is medically disqualified, the recruit can pick another course "for which I am qualified and for which quotas are available"—while remaining under arms. If a training course's standards are retroactively raised beyond his qualification, or if he washes out on academic, disciplinary or security-clearance grounds, the recruit agrees beforehand to "be assigned in accordance with the needs of the [service], and be required to complete the period of service for which I enlisted." Even if he passes his course, "no promise has been made to me concerning the specific job or station to which I will be assigned." What all this does, Hanley and Johnson found, is "to leave the embellishments and innuendos of the recruiters in a gray area in which they are apt to be relied upon but not enforced."

Before turning to the courts, the Harvard group advises the anti-contract lawyer to exhaust all in-the-system military remedies (at least to lay the base for later legal action) and *not* have his client break a rule to force the issue. The lawyer should next attempt to negotiate an out-of-court settlement—particularly if the brass in question can be persuaded that he is well-connected in Congress, can generate an embarrassing lot of media attention, or might actually win the case and set a dangerous precedent. They officially warn, however, against relying too heavily on the publicity wedge, since they have found that "the services are not notorious for responding in a military fashion to public outcries." Another dubious stratagem is to warn that one's client is a bad apple whom the service would do well to discard, because "normally the military proves not so conveniently pragmatic. Bad apples can be removed to Iceland, the brig, etc."

If the case does go to court, and becomes an argument over the facts instead of the law itself (which all lawyers know as the fall-back position when the law cannot be challenged, and a prelude to insulting your worthy opponent), the grounds are these:

¶*Fraud.* At least those 143 recruiters aforementioned have overstepped the delicate border surrounding their hard sell, but the problem is to get something in writing and that is "next to hopeless." In *Chalfant* v. *Laird,* the recruiter could not be found, and a plaintiff named Williston was told he could not even raise the issue. The Fifth Circuit in Texas, in the 1972 case, *Shelton* v. *Brunson,* actually ruled that the burden is on the potential recruit to know in advance that all guarantees made as asides are valueless. Given the breadth of the merger clause and the logistical impossibility of catching a recruiter in the act, four other major challenges posed by recruits between 1969 and 1973 on these grounds degenerated into swearing contests which they lost to a man.

¶*Erroneous Enlistment.* One of the signal victories in enlistment litigation was won two years ago in *Wong* v. *Laird,* a California case. The recruit, an alien, was denied security clearance for his stenography training; since the military never clears aliens, he won a court order against the Army to honor the contract or release him within twelve days. He was released.

¶*Administrative Error,* like an improperly administered oath (insufficient grounds as late as World War II, but sufficient now) or a snafu involving a termination date (the Navy chronically stranded sailors at sea as their day of discharge approached, until a special Congressional statute held them liable for compensation when that happened). These grounds won a suit two years ago in Vermont, *U.S. ex. rel. Joy* v. *Resor,* when a recruit guaranteed radio broadcast school was shipped into Flight Operations.

¶*Duress.* In *Norris* v. *Normann,* a 1969 case, a recruit who was promised first-class status refused to sign a contract calling for third. Promised a new status if he took the oath, he was later ordered to sign under threat of court-martial. He sued and won: the courts have, at least, expected the military to follow their own rules.

Most suits divide into three categories. "Restoration" suits were initiated unsuccessfully by the service against two C.O.s in 1972, six reservists collected $263,000 for an illegal call-up and a Virginia plaintiff won a late bonus in 1971; but money damages are rare in the field. Of the

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other two categories, most courts tend to grant "reliance" (voiding an illegal contract) over "expectation" (merely ordering the offending party to honor the original promise). However, the exception to this generalization is military cases, with recruits, who typically want out altogether by the time they are forced to sue, being left under the discipline of those they have embarrassed in court.

In a fraud case, for example, the recruit must show, in order to break the contract, that he is losing *most,* not just some, of what he bargained for. In erroneous enlistment cases, while Wong won his release, a simultaneous and similar one involving the Marines and a recruit named Bemis saw him routed into his original request for a training program. "In all of these contexts," wrote Hanley and Johnson, "a particularly injurious form of contract breach occurs: a guarantee is broken, yet the enlistee remains totally bound to his side of the bargain." Thus, they "exhort the lawyer to cudgel his brains to bring forth innovative, imaginative approaches into the field of enlistment contract suits."

The committee has some changes it would like to have made in the "instrument"—disclaimers on each page, to be signed by both parties as "rituals," as reminders of the situation's gravity; revision of the waiver clauses; provision for damages in case of a breach—but, as Gary Holdeman frankly says, "Given the reluctance of the courts, change will have to come through the legislative branch or through the military itself. It's difficult to get anything done with the document itself. And the thing is, it's definitely *to the interest* of the government and the services if their promises can be relied on and enforced. If promises for training are going to be a big bargaining point, it's important they be kept."

Meantime, under the current law, a counter-recruiter and his enlistee client are advised to:

Take Witnesses, "*not* some pal who wants to enlist with him—and the more neutral the observer, the better," says Steve Bachmann. Marriages, after all, need them. Tape recording is advised, if possible, and if both parties know beforehand that it is being done.

Take Time. Ask permission to take the contract home to study it; the recruiter cannot legally refuse. *Make copies of anything with the enlistee's signature on it.*

Confirm Job Training. Demand a manual *specifically* describing the nature of a service job offer; "a computer analyst could easily consist of checking cards to see if they have holes in them," Bachmann warns. Be sure to be satisfied with the five guarantees that an enlistee should be able to get from a recruiter—training for the job, the job itself, assignment to a specific place, assignment to a specific unit, a particular grade or rank—and make sure that any "special guarantee" the recruiter mentions is not one that would be made in any case. Ask the recruiter how long a recruit must agree to serve in order to be eligible for the training course he wants, what other physical standards or additional requirements must be met, what will happen if training can't be completed, and what alternatives are available to the option chosen. Do not hide a police record, and *get everything in writing.*

When the committee began its inquiry into DD Form 4, it reported that it was "as much an application for employment as it was a contract," fifty out of fifty-nine items dealing with the recruit's personal history. Now it plans to stay in business at least until the military can answer the question posed starkly on the front of one of its counter-recruiting leaflets—"IF it's a job, WHY can't you quit?" □

ONASSIS vs. THE YANKEES

THE REFINERY THAT RAN AGROUND

DANIEL FORD

Durham, N.H.

Gov. Meldrim Thomson of New Hampshire removed the black velvet cover on the model at a news conference nine days before our annual town meeting on March 5. He revealed a Durham scarcely recognizable to those of us who lived there. The village was missing; so was the University of New Hampshire campus, which has been Durham's main feature since 1893. The model makers had shifted our center of gravity 3 miles south, to the backland known as Durham Point. Here stood an oil refinery larger than any yet built in the world. It was designed to process 400,000 barrels of crude oil every day, with a storage capacity of 28.3 million barrels—three weeks' supply for every vehicle and furnace in the entire New England region.

The Governor said: "The unveiling of a model here today is the first major step since the energy crisis by an American industry to respond to the nation's urgent need for the production of new energy." He was talking about Olympic Refineries, which was neither American nor an industry. Olympic had never built an oil refinery; it had never built anything larger than its model of Durham. The company was still unincorporated on February 26, though its agents had been wheeling and dealing in New Hampshire since the previous September, spending money from a seemingly limitless bankroll. The money belonged to Aristotle Onassis . . . or then again, perhaps it didn't. Mr. Onassis works in a highly secretive manner, casting up companies and dissolving them at his convenience. Nobody has yet proved the extent of his stake in the New Hampshire project.

It is easier to understand why his agents picked New

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Hampshire as a place to work. The refinery had to be built in the United States, to avoid import duties; it had to be located on the eastern seaboard, to shorten the trip from the Persian Gulf; it should logically be sited in New England, which consumes 1.3 million barrels of oil each day and refines not a drop of it. And, of New England's six Governors, only Meldrim Thomson was holding out against regional planning and control of energy resources.

New Hampshire has a scant 18 miles of coastline, so the survey was correspondingly brief. Robert Greene of Purvin & Gertz, a Texas consulting firm, flew along the shore in a rented helicopter, working inland until he found a tract of land large enough to accommodate the Onassis dream. That tract was Durham Point. By accident of ownership, topography and zoning ordinance, this backland was almost totally free of development. Agents for Olympic were able to pick up their first 1,000 acres before we realized they were in town. The next 2,000 came harder, and the final 500 in anger and bitterness, but in the end Olympic held options on nearly one-quarter the land area of Durham. The exercise price was about $6 million—less than $2,000 an acre. Elsewhere in New Hampshire, industrial land was selling for up to $28,000 an acre.

There was a catch. Durham Point was zoned for farms and single-family residences, not for industry. There was no industrial zone in Durham, because this was a rural-residential enclave whose main preoccupation was how to remain rural and residential in the face of pressures that were doubling the area's population every ten years. Olympic had to bust the Durham zoning ordinance before it was in business.

As its ally, Olympic could depend on Governor Thomson, a maverick conservative who had been elected in 1972 without a popular majority. Mistrusted by both Democrats and the Republican establishment, Thomson needed a grand accomplishment to lay before the voters in 1974. What could be grander than the world's largest new oil refinery, and that built by Aristotle Onassis?

Behind Thomson, and therefore behind Olympic, was the Manchester *Union Leader*. This newspaper has dominated New Hampshire politics for almost a generation. Its victories have been few (Meldrim Thomson being a notable exception), but its influence is pervasive. In one of its steamy, front-page editorials, the *Union Leader* set the tone for the looming debate:

> The reaction from all over the state of New Hampshire seems to be extremely favorable to Mr. Onassis' proposal with the exception of that small, noisy and very vocal group of leftists in the Durham area who are not a bit interested in the welfare of the state and who selfishly are pursuing a policy of rule or ruin. . . . To oppose the Onassis refinery is about as sensible as wanting to cut Santa Claus' throat.

Most of New Hampshire's public figures have learned to run before the winds that blow from Manchester, so it was no surprise when the *Union Leader* began to publish endorsements from the state's political leaders: few politicians, in a winter of fuel shortages, wanted to oppose the *Union Leader* on such an issue.

But jaws dropped in Durham when the town fathers refused to do battle. The selectmen took as their text a letter from Governor Thomson, who promised to respect the town's decision if—"in a proper, orderly and legal manner"—Durham refused to change its zoning ordinance. The selectmen were too trusting by far, but nobody could criticize their zeal in the pursuit of neutrality. They hired an attorney, who gave Olympic a schedule of deadlines and procedures necessary to amend the zoning ordinance. They sketched roads to serve the refinery. They journeyed to Dover and Manchester to meet with Olympic officials; they were even ready to fly to Canada at the company's expense, to view a new refinery there, until voter hostility changed their minds.

As for the University of New Hampshire, it too had been neatly silenced. Before announcing Olympic's plans for Durham, Governor Thomson directed the university to study the impact of an oil refinery on the New Hampshire seacoast. On its face, the request was sensible. It was the question that should have been asked and answered before any refinery was considered for the state. But the UNH team was to study a refinery processing 250,000 barrels a day, little more than half the size of Olympic's behemoth, and no site for it was specified. While the professors were analyzing this ghost refinery, Olympic's consultants would be completing their own, very different studies. It is hard to escape the conclusion that Thomson's goal was to neutralize fifty men and women who were especially qualified to pick holes in the Olympic plan.

Olympic tried to recruit other faculty members directly, but found no takers. Among the job opportunities was that of company historian—someone to research Durham Point for artifacts that might be lost among the storage tanks. Olympic filled this post with New Hampshire's legislative historian, Leon Anderson. He concluded that Durham Point had no history worth preserving, a remarkable conclusion in the light of 350 years of white settlement.

To handle the state legislature, Olympic turned first to Rep. Chris Spirou of Manchester, himself an immigrant Greek. At 31, Spirou is a rising star in the state Democratic Party, which has traditionally been short of stars. The job was offered to him in the publisher's office of the Manchester *Union Leader*. "I would have been set," Spirou said later. "I considered . . . everything." He refused—but he also refused to give the refinery opponents the same kind of legislative help that Olympic had wanted to buy. The company settled instead for Marshall Cobleigh of Nashua, former Speaker of the House and now a professional lobbyist. Cobleigh was supported by two junior lobbyists, a "hospitality room," an information office and two public relations firms, one local and the other with headquarters in New York City.

But wherever Olympic stepped, it seemed, an opposition group was born. The first and largest was in Durham: Save Our Shores, chaired by a 28-year-old housewife, Nancy Sandberg. SOS was followed by an interstate organization, the Committee for Regional Oil Planning, to protect the Isles of Shoals, where the Onassis supertankers were to discharge their cargo. A third group, formed in Rye, where the pipelines would come ashore,

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was the Concerned Citizens of Rye. Eventually there were fourteen anti-refinery groups in the seacoast region, including the various chapters of Save Our Shores.

For the most part, these groups were staffed by the wives of teachers and professional men. In December and January, when Olympic seemed to have everything going for it except the opinion polls in Durham, few men with jobs were willing to stand on the firing line with SOS. In the beginning, when it was formed, the Durham group had an industrial engineer as its vice chairman, but he soon resigned at the request of his employer.

Durham sends four Representatives to the New Hampshire House, which is the third largest legislative body in the English-speaking world. Again, it was a woman among them, Dudley W. Dudley, who became their symbol of opposition to Olympic. Her name helped. So did her short skirts, handsome face and willingness to take the heat, which included obscene telephone calls in the night. She carried a petition to Governor Thomson, who threw her out of his office. When Onassis visited New Hampshire for a few hours in December, Dudley camped out in an anteroom and sniped at those who were drinking Olympic's booze. And it was Dudley who had the genius or good luck to seize upon the issue of "home rule," which would prove to be more important than any other. Did the state of New Hampshire have the right (it certainly had the power) to force an industry upon a town that so clearly didn't want it?

Dudley wrote a bill—House Bill 18—for the special session that began in February. It required local approval before an oil refinery could be built in any community. Strictly speaking, the bill served no purpose, since Durham's zoning ordinance would prevail until and unless the legislature overrode it. But it was one thing to void a specific ordinance (which could have been done discreetly by, say, giving plenary powers to a state energy commission) and quite another to vote against the principle of town meeting democracy. New Hampshire is changing fast as megalopolis spills relentlessly across its southern border, but "home rule" is still a powerful cry in the small towns where most legislators have their homes. Dudley had taken the oil refinery out of the realm of expert argument, and put it into terms that every citizen of New Hampshire could understand.

For Governor Thomson, this was a painful thrust. He had stood for home rule the way Lester Maddox had stood for States' rights; now he was obliged to choose between principle and an oil refinery. He chose the refinery. Rather than attack Dudley's bill outright, the Governor's team and the Olympic lobbyists decided to work a safer route. The key piece of energy legislation before the special session was House Bill 34. This was an attempt to give the state some kind of control over the Olympic refinery: there was no useful legislation on the books, since nobody had ever considered the possibility that New Hampshire might some day find itself in possession of an oil refinery. To House Bill 34 would be attached an amendment giving the state the final word on site location.

That, at last, jarred the Durham selectmen off their perch. On Sunday afternoon, March 3, Olympic was to make its final presentation to the voters of Durham, televised live in the UNH gymnasium. The meeting was opened by Alden Winn, an engineering professor and chairman of the Durham board of selectmen. Winn read from a prepared statement: "We want to inform them [Olympic] that we will resist all efforts on their part, or the part of any of their supporters, to deprive us of our right of local self-government." The audience gave him an ovation, which echoed among the empty bleachers. Only 700 of the 4,000 seats were occupied, mostly by the organized opposition: everybody else stayed home to watch the show on television.

Robert Greene, who had begun it all with his overflight last summer, was still able to smile. "That," he admitted, "is a hard one to follow." The four-hour presentation, like

Nilson, Publick Occurrences

"Just Set It Anywhere."
The Governor and the Greek Bearing Gifts.

the four-hour session preceding it, was an ordeal for Greene. This was the first time Olympic had stood still for questions, and the opposition made the most of it. Greene bore it well, a beleaguered Texan with a well-dampened handkerchief. He received precious little help from his employers. Olympic was represented only by its hired guns and by Nicolas Pananicolaou, a 25-year-old Onassis protégé who had arrived in New Hampshire the previous week.

On Monday, the company was able to move into a more congenial forum. The legislative campaign opened with an 8-page supplement to the *Union Leader* and each of the state's smaller dailies—about 200,000 copies in all. The mini-newspaper was headlined:

HELP BRING A REFINERY TO NEW HAMPSHIRE
Contact Your Legislator Now
Don't Let a Noisy Minority Stop Our State

Among its articles was one written by Governor Thomson, and another by a state legislator that urged voters to put a pro-refinery referendum before each town meeting. There was also a list containing the names and telephone numbers of 415 legislators. The advertising suppplement (which, in violation of state law, was not identified as such) was supported by a three-day blitz on New Hamp-

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shire radio stations. After a complaint from the state attorney general, the radio spots were identified as coming from Olympic.

The company wildly misjudged its audience. On Tuesday, Town Meeting Day, a few communities went on record "in favor of an oil refinery for New Hampshire that meets all environmental requirements." (This phrasing had been suggested by the advertising supplement, and by Governor Thomson in a letter to each town moderator.) But a greater number substituted home-rule resolutions for the one that was put before them.

This was not a vote against the refinery. Home heating oil had soared to 40¢ a gallon in some communities; perhaps half the state's gasoline stations were closed on any given day; fill-ups were banned and lines were half an hour long. Olympic had promised that it would provide all the fuel New Hampshire needed, and at lower prices. The voters seemed to believe the promises: a *Boston Globe* poll showed that 65 per cent of them wanted the refinery, with another 10 per cent willing to be convinced. As much as they wanted the refinery, however, they wanted home rule more.

Durham's town meeting was adjourned to Wednesday. Two thousand people showed up for it, including Chris Spirou and about twenty newsmen. Only one piece of business was transacted that night: a nonbinding vote to change the zoning ordinance in Olympic's favor. The moderator allowed an hour of debate, which was more for the benefit of the television networks than for the persuasion of the citizenry. Three hours were then required to put the voters through the polling station. The tally was 144 in favor of the refinery, 1,254 opposed. That was nearly 9 to 1, which surprised even Nancy Sandberg and Dudley Dudley.

Next day, the state legislature confirmed the message that had been sent from home. Olympic's amendment, which would have given the state sole authority in siting a refinery, was defeated on a head-count vote. The roll was then called; legislators ran for the exits, but the doors were locked and the count went on. With a few abstentions, the house voted 109 for Olympic's amendment and 233 against—better than 2 to 1. That surprised even Chris Spirou, who had helped engineer the defeat.

Olympic had budgeted $1 million for its campaign in New Hampshire. Estimates of the money actually spent run to about twice that figure. Save Our Shores raised and spent $14,000, with some bills outstanding; when these are paid, and when the expenditures of other groups are added, no more than $25,000 can have been spent to counter Olympic's millions. Not money but tradition decided the outcome.

From its debacle, Olympic salvaged only its model of Durham and the good will of Governor Thomson and the Manchester *Union Leader*. Thomson dispatched an aide in search of friendlier locations. The *Union Leader* urged voters to clean out the legislators who had deprived New Hampshire of the Onassis refinery. "The vote at Durham illustrates the intellectual and moral bankruptcy of that campus community," the paper said in an editorial. "The vote in the Legislature illustrates how stupid and narrow and selfish legislators can be."

Olympic was still ready to do business in New Hampshire, but only if local voters made the first move. "We want to build a refinery worth millions to the state," complained its president, Constantine Gratos, "and we've been insulted from the very first day we arrived. We've never been subjected to such abuse anywhere in the world."

The company's brightest prospect was in Newmarket, a blue-collar community south of Durham. On April 16, Newmarket held a referendum to decide if it would welcome what its wealthy neighbor had rejected. The vote was favorable though narrow, 644 to 526, and it was coupled with a provision for another referendum if a specific proposal was put before the town. It remains to be seen if Olympic representatives will court Newmarket with any more grace than they showed in Durham. □

LETTERS *(Continued from page 546)*

ing Joe only in the introduction—because he had only just surfaced.

"McCarthy Era/McCarthyism" formulations compound the confusion of students while removing the spotlight from J. Edgar Hoover (the inquisition's true father from start to finish), from Truman (whose Loyalty Order institutionalized it in 1947), from equally or more outrageous inquisitors like Eastland, and from Joe's earnest colleagues like Jackson and Symington. The height of the confusion was a U.S. Senator's complaint that Watergate exposers used "McCarthyist tactics." Of course it was Nixon who taught Joe his stuff, not vice versa. *Cedric Belfrage*

men's rights

Kenwood, Calif.

DEAR SIRS: Jo Freeman ["Review & Critique: The New Feminism," *The Nation*, Mar. 9] complains that "The biggest battle of women's liberation—as in general the biggest battle of women—has been the fight to be taken seriously." That is because equal rights for women does not include equal rights for men, an omission which turns off really liberated women, who believe that equal means equal—starting with the divorce courts. *George Partis, President United States Divorce Reform, Inc.*

confidentiality in social science

DEAR SIRS: The Russell Sage Foundation is funding a study of the confidentiality of social science research sources and data. It is sponsored by the American Sociological Association, the American Political Science Association, the American Anthropological Association, the American Psychological Association and the American Historical Association. The study began in February 1974 and will end in December 1975.

Individuals and organizations are invited to submit a statement of (*1*) any events of which they have knowledge that have raised questions concerning the confidentiality of social science research sources and data; and (*2*) any problems they have encountered concerning the confidentiality of social science research sources and data. The statement should specify the time and the place and the individuals and the organizations and the circumstances involved. Information will be treated as confidential unless the individual providing it consents to its release. The statements will be used by the director and project board to select events and problems for further analysis. They should be sent to the principal investigator. *James D. Carroll*
Director, Public Administration Programs
200 Maxwell Hall, Syracuse University
Syracuse, N.Y. 13210

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BOOKS & THE ARTS

Helping Out the Unseen Hand

THE SOCIAL COSTS OF PRIVATE ENTERPRISE. *By K. William Kapp. Schocken Books. 287 pp. Paper $2.95.*

VICTOR LEBOW

As the darkening clouds come closer with each month, one wonders whether these are the locusts of an oncoming depression or merely the swarms of economists waving forecasts and prescriptions. With recipes for recovery we are surfeited: subdue inflation by deliberately permitting unemployment to increase; absorb the jobless by *raising* taxes to pay for gigantic public works projects; restore prosperity by *reducing* taxes, thus expanding purchasing power and putting more people to work; meet the "energy crisis" by setting aside the environmental and ecological concerns which have so recently and so very late intruded into government policy . . . and still other proposals bounce along on the heels of these. What is common to most of the economic pundits today, as it has been for almost 200 years, is that for them it is not man who is the measure of all things but money, exchange values.

There is a small company of the world's economists who integrate in their thinking the sociological, political, psychological, historical and humanitarian factors, and whose vision encompasses the globe. Professor Kapp is one of that company, and that is why this book, although originally published in 1950 (by Harvard University Press), and reprinted in its present edition (with a new and brilliant introduction by its author) illuminates much of our current dilemma far better than anything written by J.K. Galbraith, Milton Friedman, or the Council of Economic Advisers.

In this tightly reasoned and impressively documented study, Professor Kapp has combined a history and critique of economic theory since the very dawn of capitalism, an examination of the shortcomings of economic science, a rich, new, and in large part original treatment of that sadly neglected subject, the area of social costs, and a program for transforming economics into a genuine and not an apologetic discipline, into a political economy which subsumes all the social sciences.

K. William Kapp is now professor of economics in the Institut für Sozialwissenschaften of the University of Basel, Switzerland. He was educated in Germany but came to the United States when the Nazis took power, and he has taught in several American universities. While most of his references are to American sources and experience, the work is enriched by his reading in several languages and his use of books and records not available in English. Since all of his source material antedates 1950, it is startling to recall, for example, that from 1912, and particularly in the Roosevelt years, our government produced a series of highly competent studies on water and air pollution, on the declining fertility of the soil, on the dangers resulting from deforestation, on the depletion and waste of animal, mineral, and fossil fuel resources—all valuable reports which went unheeded and were preserved only to gather dust.

In these days when the political philosophy of the founding fathers has become the object of intensive study, it is useful to recall that their views came out of the Enlightenment, with the burst of scientific and technological advance which ushered in the Industrial Revolution, *laissez faire*, Adam Smith, and modern capitalism. As Kapp emphasizes, our political and economic theories are still dominated in great part by concepts and philosophy developed in the 17th and 18th centuries. However, what once was enlightenment, and emancipation not only from feudalism but also from the physiocratic and mercantilist governmental controls which followed, today serves obscurantism and dogma. And our economists scurry about like blind men in a labyrinth of their outworn premises.

Kapp is dealing in this book with a subject which has come to the surface in economic writing from time to time, and has in fact achieved some recognition as a sort of economic bastard, in "welfare economics." But no one has drawn its full implications as he has here. The fact is that business imposes what could well be termed a gigantic withholding tax on nations, on the whole world. This book is a study of the manner in which private enterprise, both under conditions of unregulated competition as well as in its monopolistic and oligopolistic forms, gives rise to social costs which are not accounted for in the outlays of business but instead are shifted to and borne by third persons and the community as a whole. In classical and neoclassical economics, it is taken for granted that the only "true" costs are those incurred in buying raw materials and paying for labor, and in the capital invested and its depreciation. But to Kapp, this thinking has made economics the servant and apologist for the prevailing form of economic organization, and it has served to hide the face of socioeconomic realities.

For the social costs are losses suffered by others from the activities of capitalist enterprise: the pollution of the air and of water resources, the erosion of the soil, the denuding of vast forested areas, the slaughter and extinction of wildlife, the profligate use, depletion and waste of our coal, oil, gas and mineral resources—and with these we are by now all too familiar. But Kapp considers as equally significant the social costs of technological change arising from the introduction of new machines and new processes, the displacement of workers whose skills become unwanted, the social costs of unemployment and of idle resources, the costs of our vast distribution system with its proliferation of outlets, its duplication of commodities, its pretensions to "innovation," its enormous expenditures for advertising and sales promotion. He points also to the social diseconomies in our mixed system of transportation, with its short-sighted neglect of the railroads, the staggering investment in highways, and the wasteful duplication in rail, truck and air transportation.

For Kapp, industrial accidents, occupational diseases, and psychological traumas to which workers are subject, and the often heartless decisions taken in the interest of competitive advantage, are all truly social costs, even though many of them cannot be measured in money terms—which makes them nonexistent by traditional economic concepts. Laws governing workmen's compensation, the nation's oldest insurance obligation imposed upon business, are woefully inadequate. *The Wall Street*

Victor Lebow is co-chairman of the Columbia University Seminar on Business Practices and Society. He is the author of "Free Enterprise": The Opium of the American People (*Oriole Editions*).

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Journal reported recently (February 25) that the loss of an arm on the job in Wyoming is worth only $6,800 while the same injury in Pennsylvania entitles the worker to a minimum of $38,540! The Occupational Safety and Health Administration now tells us that we are faced with a new occupational disease. It is cancer of the liver, which is now being reported among workers in plants manufacturing vinyl chloride, which is used in making many plastic products including floor tiles, piping, phonograph records. Kapp refers also to various long-delayed effects upon the health of workers. Miners' "black lung" is one with which we are now familiar as a result of the agitation in the West Virginia coal fields.

When he wrote this book, Professor Kapp could not have had much information about the social costs imposed upon other countries by the multinational corporations, which had not at that time proliferated to their current number and grown to their present size. Nor did he deal, except by implication, with the effects upon the poorer countries of the coming of industrialization, nor with the astounding disparities in income and living standards in some lands that have enormous natural resources.

In Indonesia, for example, the big oil fields are pumping thousands of barrels of crude oil a day to be shipped at the new high world prices, which will bring that country $3 billion this year. But in the capital city of Djakarta, little of that money trickles down, and the unemployed Mr. Sujadi "walks the streets picking up cigarette butts that he sells for a penny or two a pound to a tobacco company, which puts them back into new cigarettes. On a very good day, if it hasn't rained for a while, and the butts are still fresh, Sujadi might earn 200 rupiahs (48¢), just enough to feed himself and his pregnant wife a little rice, some peppers and tomatoes. He says that he can't remember the last time he had meat and that he can't buy clothes; both he and his wife are wrapped in tattered rags." This, from *The Wall Street Journal*, in a long report on the poverty and corruption in that land so glamorized in the travel brochures.

Particularly important for our time is Kapp's examination of the corrosive effects on the progress of science imposed by the values of private enterprise. During the 18th and 19th centuries, it was primarily the capitalist incentive for private profit and the capacity of science to reduce costs which served to promote scientific advances, and thus determined the place of science in modern civilization. But the fact that science is expected to contribute to profits has resulted in distorting both the organization and the conduct of scientific research. That is why, for example, the chemical and physical sciences have been so heavily supported, but comparatively little has been spent in research to prevent social costs and social losses, nor has industry made much investment in research into the requirements of public or even industrial health.

Of course, in 1950, when the great achievement of the harnessing of atomic energy was still a source of wonder, Kapp could not develop a thesis on the perversion of science to other and purely military purposes. For the whole military-industrial complex is in itself a multibillion-dollar social cost, a burden upon a whole people, a threat to the peace of the world—but a lush benefit to several hundred profit-making enterprises.

In one of his socio-political remarks on industry's exploitation of science and its disregard of the social consequences, Kapp makes this comment: "By thrusting the burden of adjustment (i.e., the social costs) caused by technological advances upon the economically weaker groups in society, the *modus operandi* of the capitalist economy tends to generate forces of reaction which have the effect of retarding technical progress altogether." He makes the further observation, undoubtedly from his intimate knowledge of Hitler Germany, that in part the anti-scientific and anti-intellectual attitudes among the middle classes arise as a reaction against technical progress under capitalism. That is a subject which the British physicist and Nobel laureate, P.M.S. Blackett, has developed in *The Frustration of Science.*

Among the most valuable and enlightening chapters in this book are those dealing with the effect of the basic assumptions of modern economists and the lingering influence upon their thinking of the 18th-century concepts of free competition, *laissez faire*, and hands-off government policies—and especially their inability to take into account costs which do not enter into the balance sheet of a business enterprise. To this day the philosophical presuppositions of the classical economists have largely determined the selection of phenomena to be studied by economic science, and its scope has increasingly been adapted to the original aim of demonstrating "both the existence and the superiority of the system of natural liberty over alternative forms of economic organization." But in shaking off the physiocrats and mercantilists, Adam Smith and his successors were developing economic theory in a milieu of small enterprises, truly competitive, and they could hold to their faith and never question the workings of the "invisible hand" and "natural law."

Today, however, in a vastly different and far more complex world, we are saddled with the quadrumvirate—or quadrivium—of Burns-Butz-Shultz-Stein who draw theoretical conclusions from their "purely" economic point of view, and whose value judgments are their rationalization of "preconceived socio-political ideals, ideologies, and metaphysical preconceptions." Although Professor Kapp, in 1950, had not the doubtful pleasure of knowing Nixon's

MY FLUTE

When I had learned enough to fail every test
I began to play a flute called "blueman's rainbow"
color of the third rail
engines keep kissing
to make them strong and travel.
My flute called "enemy of silence"
frees every prisoner
in the midnight special hour
when silver chimes with the silver
moon quarter
of a million miles away.
Nothing inside my flute then
measures the nothing that keeps us apart.
My flute called "what is your real name?"
says no to rhetorical questions.
Three joints it has like a finger
point to an open door
but me and my flute called "second nature now"
stay in the empty window the world goes by.

Herbert Krohn

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housebroken quadruped, he has described the species thus: "They may degrade economic science to the level of partisan journalism, and in individual instances even justify the appellation of 'stooge professors.'" Such practitioners do not attempt to measure the total costs of the operation of their "free enterprise" system, for they are nothing more than a professional cover under which private enterprise shifts part of its costs to the shoulders of others and "practices a form of large-scale spoliation which transcends everything the early socialists had in mind when they spoke of the exploitation of man by man."

Kapp denounces particularly the artificial boundaries that are now drawn between the social sciences, a departmentalization which, in his view, tends to obstruct and defeat the search for truth by restricting both the scope and the horizon of scholarly inquiry. He sees the aim of economic science as providing the basis for an impartial and critical comprehension of socio-economic reality. It must operate upon clearly postulated political premises and social value judgments, as a science of social economy, as economics with a human face. The definition of economics in terms of exchange values gives it a false scientific dignity. Its subject matter must transcend the profit-making market economy; otherwise it is bound to reach the tautological conclusion that we live in the best of all possible worlds.

For this author there is no room in modern thinking for the equilibrium theses which have played so large a role in economic theory for the past century or more. He argues that it is high time for economists to recognize the reality of conflict, and the ever mounting tendencies toward disorder and disequilibrium under conditions of competition, as characteristic of the political process, instead of concealing the very possibility of conflicts between individual and social values. He believes that as long as economic science refuses to abandon its present philosophical isolation, it will continue to be helpless in dealing with the issues raised by the conflicts arising within society. It will have to throw over its attachment to a philosophy that is no longer relevant, enlarge the meaning of its basic concepts of wealth and production, and supplement its study of market prices by a study of social values. Only in this way, Kapp believes, can economics finally achieve an impartial and critical comprehension of the economic process.

His final paragraph, with its sly obeisance to the father of classical economics, deserves quoting in full: "Indeed, by including social costs, social returns and social value within the range of its analysis, economic science would become 'political economy' in a deeper and broader sense than even the classical economists conceived of the term. In fact, economic science could then really be said to deal with the problem of social economy and would thus at last prove its status as a system of knowledge concerned with the study of the nature and causes of the wealth of nations."

Here, in short, is a book which is entitled to the widest readership among scholars, students, administrators and officials. This review can, at best, give only a scanty glimpse of its wisdom and importance for our world in our time. □

Communities and Counter-Cultures

THE COMMUNAL EXPERIENCE: Anarchists and Mystical Counter-Cultures in America. *By Laurence Veysey. Harper & Row. 495 pp. $15.*

GEORGE WOODCOCK

I began reading Laurence Veysey's *The Communal Experience* with an initial sympathy that verged on eagerness. "Intentional communities have long fascinated me . . ." he begins his book; I could echo that with emphasis. Not only have I been fascinated by intentional communities; I have gambled periods of my life on them. During World War II in England, when John Middleton Murry as the great pacifist strategian called on war resisters to establish communities so that the new world could grow—as he put it—"in the interstices of the totalitarian order," I became a member of Murry's own pet community at Langham in Essex, and spent a long cold winter there, working in the frosty or flooded fields and engaging in interminable arguments that would veer abruptly from the marketability of horseradish to the economic shape of the new society, and then back to the bitter feud that ranged over a whole month because a rabbit bone had been found in the vegetarians' soup. Later I went to the Cambridgeshire fens to try with four other adults and three children to set up a more manageable community—again land-based—that would be less ideologically splintered than Langham; this was an even briefer experience since it soon became evident that here the divisions were not ideological but temperamental, between the industrious and the lazy, and after three months the two of us who actually did go out every day from dawn to near dusk to clear the ditches and cut back the rampaging bush of a neglected farm, decided we had endured enough, and retreated to the amenities of Cambridge.

Afterwards I visited several of the scores of intentional communities that arose in England during the early 1940s as an offshoot of the war-resistance movement. Some of them were little more than refuges for conscientious objectors where they could fulfill the conditions of their exemptions from military service, but a considerable number were seriously planned to try out an alternative form of society to that which produced war. They developed a decentralist philosophy and for the most part encouraged the Kropotkinesque ideal of combining farm with craft work; it was widely believed also that a more genuine strain of literature and art would emerge from a return to the land. Few of these communities lasted long, and so far as I know of those I visited, none survives today except for some English offshoots of that intensely authoritarian religious community movement known as the Bruderhof.

I bring out these personal experiences partly because they provide me with a touchstone to judge what Professor Veysey has to say about intentional communities in North America, and partly, I suppose, since much that Veysey has to say confirms the conclusions I reached a quarter of a century ago from my own experience—the principal among these being that religious communities with strong leadership of the guru sort have the best chance of survival over a long period, and that purely political communities rarely last for long unless they are anarchistic groups so loose in structure that they can easily lapse into residential settlements of like-minded people. One such community in England—the anarchist community at Whiteway in the Cotswolds—lasted for decades, but by the end it had become no more than a collection of neighbors owning individual bits of land they had once occupied as communitarians.

From my own experience, from what Veysey presents in *The Communal Experience*, and from what we know of

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communitarian socialism in early 19th-century Europe and North America, it seems evident that intentional communities are one of the recurrent manifestations of emergent counter-cultures. The high incidence of drug use gave the counter-culture of the 1960s a different look that was less important than it seemed, for essentially what happened was a recurrence on a fairly large scale of the inclination to pose an alternative both to the rejected establishment and to change by violent revolution: the alternative of withdrawal to pursue a world-rejecting mystical pattern or to foster within the decaying old society what one imagines will be the first cells of a brave new world.

Fourier, Cabet, Robert Owen and such native American communitarians as Josiah Warren were motivated by the spirit of unrest which the European revolutions of 1830 and 1848 expressed in other ways, and their plans and practices were essentially counter-cultural in the sense in which we now use that term, since they set out to create a complete alternative way of life. The same applied to the communitarian experiments projected or begun as part of the Bohemian movement around and just after World War I (D.H. Lawrence's never achieved Rananim being perhaps the most famous), and also to the English pacifist communities of the 1940s, whose spokesmen explicitly linked community activities with the theory that war resisters could be effective only if they presented a viable alternative society—a counter-culture—to the totalitarian order that the necessities of war seemed then to be imposing on the whole world.

Thus Veysey's treatment of American communities during the 20th century as manifestations of successive counter-cultures is in my view appropriate, as also is his caution in pointing out that the conjunction of counter-culture and community is not a necessary one, for there is a continuing tradition of community life from the early 19th century onward, often shrinking to a narrow current of adherents, but surviving over long periods in loose anarchist communities like Stelton in New Jersey and in small semi-monastic groups of religious devotees. It is also, as Veysey points out, anarchism and mysticism, in one form or another, that represent the constant elements in counter-cultures, enjoying a resurrection whenever the need to exhibit an alternative way of life becomes pressing.

Apart from the historical introduction and the theoretical summary, *The Communal Experience* consists mainly of accounts of selected communities that existed early in the century and of a few contemporary ones, avoiding directionless hippie communes in favor of more obviously intentioned communities. As Veysey himself points out, there is a freshness and directness about the accounts of the two communes where he lived briefly (an austere anarchist colony and a technologically oriented commune influenced by Gurdjieffian teachings) that cannot be recovered in compiling an account of a community from secondary sources or even from the memories of participants. However, I cannot help feeling that, in historical terms, we should regard the freshness of the direct account with reservations, for freshness is after all a quality that is derived from subjective reactions, and the best account of one's experiences of a place or an event remains reportage rather than history. Orwell's *Homage to Catalonia*, for example, is a splendid reportage of the Spanish Civil War from one man's point of view, but it is hardly a history, since history must collate many points of view, and if this makes it duller to read than reportage, that is unfortunate but also inevitable. □

Tales Told Many Times

THE LANGUAGE OF CATS AND OTHER STORIES. *By Spencer Holst. Avon Books. 128 pp. Paper $1.65.*

ROBERT STOCK

I find it difficult to decide where on my shelves to place Spencer Holst's volume of fables and tales. Not with Poe (from whom he takes his epigraph) nor O. Henry (with whom he shares a penchant for the surprise ending) nor Kafka (beside whom he is as sweet-natured and unanxious as George Herbert, say, compared to John Donne), nor near the chichi modernism of a Barthelme. Provisionally, I have put it between Hans Christian Andersen and Borges, not far from the magical zoomorphism of Rafael Arévalo Martínez. I'd really like to set it all by itself right in the middle of my longest shelf, leaving an empty space to its left to indicate the wilderness its presence makes habitable, and a space to its right as witness to the possibilities it brings into being. That's the kind of book it is. Not that the tales are new to me. For years I've heard them told and read around wine-laden kitchen tables, as well as on more normal occasions, and read them in magazines, manuscript, and lovingly handcrafted limited editions. This privilege has passed on to later generations, for my children have heard them told round campfires in the North Carolina mountains, and my daughter tells her children the marvelous bullfinch and goblin fable, in our family a classic to rank with Andersen, Perrault, Ruskin or Wilde. Now much (though by no means all) of his best early work has been collected in *The Language of Cats and Other Stories* and reissued in paperback where it may be bought for scarred tea tables, prison libraries, and the hip pockets of executives, derelicts and poets. (It is no accident that Mr. Holst enjoys particular favor among poets.)

We have to do with twenty pieces—fables, tales, prose poems, and stories. I advisably avoid the term "short stories," a genre associated with character development and psychological analysis and dissection. Mr. Holst dissects nothing; he puts together; he presents metamorphosis and moral fantasy, myth. His prose style, that of a speaker aloud, is almost invariably adequate to what he is talking about. Hemingwayan oversimplification and the baroquely poetic are equally shunned. The jacket blurbs give the impression that the prose was quite simply "spoken" and taken down, perhaps, by shorthand. But, like all worthwhile literature, the stories were developed through a combination of mouth and pen, though in Holst's case the emphasis on storytelling is unusally strong. I imagine they were first told to friends, refined by retelling, committed to paper, then retold and rewritten until they attained their final rock-ribbed perfection. Result: beautiful language. Result: a flexible syntax capable of limpid exposition and description, and allowing him such classical amenities as going into and pulling out of digressions without the slightest tailspin.

Though the delight of children of all ages, who seem to seize upon them intuitively, these tales give the depth diver strata after strata. For example, the first tale in the book, a fable called "The Zebra Storyteller," is a statement of the artist's social function: setting society right through soothsay. Early on there's a pun on "fit to be tied" that seems deceptively like a mere joke. But in a context of the nature of language ("zebraic"), its verbal action becomes a sort of soothdoing. Other tales explore other facets of a complex aesthetic.

Robert Stock is the author of a book of poems, Covenants *(Trident).*

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"Bullfinch & Goblin" is, among other things, a scrutiny of the artist's metamorphosis through his discipline; "True Confessions Story" explores creative impersonality (that the art involved is kitsch merely increases the isolation). This last moral fantasy is an excellent example of Holst's method of skirting the morasses of sentimentality so the reader can all the better perceive what monstrous creatures lurk therein. This same approach to an awareness of sentimentality is apparent in the quasi-pathetic "Miss Lady." A Vassar girl becomes a whore in Buenos Aires in an attempt, desperate, as we know, to recapture the cheating past. The screw is turned further than in Proust, for she has willfully lost her life to regain it. Still further, her dignity, that of the eternal whore, also shares in the somehow eerie dignity of the eternal American bitch. Despite this Janus-faced attitude, the story's pervasive irony is typically gentle. There's none of the sarcasm whose motive is to inflict pain, but the double irony of the moral teacher and the divided impulse seeking its own wholeness. The book's title story topsy-turvies the aesthete's old chestnut, "I prefer cats to people," and, despite the horrors of civilization, reaffirms faith in human values. "10,000 Reflections," a strangely Mallarméan sonata in sound, light and grief, sets itself to music.

The reader will be struck by the author's reconciliation with the surprise ending. Unlike O. Henry, Holst uses it for more than legerdemain. It becomes a brilliant transformation of experience to reveal the interstice between desire and fulfillment, benefit and loss, compassion and necessity, ego and self-giving, illusion and the improbable facts of the matter, hope and catastrophe, and imminence and fatality. Somewhat perversely inverse to this procedure is the ending with several alternatives. I must confess that my two favorites, "On Hope" and "The Mirror Story," fall within this latter category. In fact, "On Hope," which I would include in any anthology of best American stories, masterfully combines both kinds of endings in a masterpiece of subtle storytelling.

Holst has variously been called a gnome, a demon and an angel. He is none of these, although his utterance is often gnomic, his drive demonic, and his compassion angelic. I hope theologians will afford me a little leeway on the last two points! Actually, he's that endlessly more complicated creature—a man. That is why he distrusts Siamese cats: they are too pure and too simple in their purity. Against this purity he postulates his fellows, and praises their complexity, while at the same time deploring its self-destructive side effects. Deploring them is, in fact, a part of this unremitting complexity, a complexity so estranged, so ready to give in to love. □

AFRICAN WOMEN IN TOWNS

An Aspect of
Africa's Social Revolution

KENNETH LITTLE

For readers interested in current affairs, Professor Little, a known figure in the study of social change and ethnography, reports on his extensive field research in African towns. His book analyzes the changing position of women as they move into an urban situation, their desires for a new relationship with men, and the influence of Western and traditional values on their marriages and other associations.

Cloth $14.95 Paper $4.95

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32 East 57th Street New York, N.Y. 10022

Good as Big Business

THE PREACHERS. *By James Morris. St. Martin's Press. 418 pp. $8.95.*

JOHN BRIGHT

It is to be supposed that no one, not even the sainted Augustine who entered God's city, has actually seen Jehovah Himself, although many have felt His presence. But many more have had intimate relationship—in the ambassadorial sense—with His only begotten son, and privileged the rest of us with wisdoms gained in those masonic interviews. Such special experience has resulted in anointments that suggest symbiosis—so that some clerics, because of their pipelines into high places, have come to be known as "divines," and so accredited gravely everywhere. Those who have spoken *with* God, or at least with His certified nuncio, are thenceforward elected to speak *for* Him, and officially interpret His words.

Not all clerics, however. The Roman Catholic priesthood, knee-bent to protocol, defers to archbishops and cardinals who in turn incline toward the Pope for the ultimate yea or nay—not only in matters of exegesis but of such secular concerns as abortion, mini-skirts and the pill.

Having no hierarchy of strict authority, those of the Protestant and Jewish cloth are even farther from Heaven and their certainty is frequently corrupted by doubt and skepticism.

But not so with Pentecostal cabal, the Fundamentalists, the evangels of "the old-time religion." Doubt and skepticism are not Socratic yeasts to them but a compound of weakness and sin; worse, proof of being inhabited by demons, infiltrating agents of the Devil. And what need of Aquinas and Newman and such pointy-heads? John Alexander Dowie, pappy of the current breed, thundered, "The Good Book is enough"—thump with meaty fist on the Bible—"as I have been inspired to pass on its true meaning to you! Listen to me and share my inspiration—and not only will the demons be driven from your soul and sickness leave your tortured body, but you will be saved—to join Jesus in Paradise!"

So the evangelists shout and bleat and threaten and cajole, up and down the land and abroad, in tents, temples, over the radio and on television—addressing countless millions of the hungry, the sick, the alienated, the uneducated, in search of simple answers to their confusion. While the conventional churches are only half-filled with the somnolently pious, there are hordes outside who cease crying Hallelujahs only to spook themselves at *The Exorcist* and in sobriety cast a vote for George Wallace. Meantime their leaders trudge to

John Bright, a frequent contributor to The Nation, *has recently completed a book,* Memories of the Hollywood Brothel, *scheduled for early fall publication.*

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the bank with millions, more securely tax-exempt than Nixon's, since he doesn't have their godly clout with the IRS.

In *The Preachers* nine of the elite rabble-rousers are examined by James Morris, a long-time but not jaundiced student of religious flummery. His college of backwoods cardinals includes Oral Roberts, Billy James Hargis, Kathryn Kuhlman, Burpo, A.A. Allen, McIntyre, the Pasadena Armstrongs, Dr. Frederick J. Eikerenkotter (affectionately known as "Reverend Ike")—and of course our President's unimpeachable spiritual pilot, Billy Graham.

Just what do these demagogues have in common besides the Bible and real estate? Their styles vary widely, from the carnival barking of Burpo and Allen to the relative sophistication of Graham and the retailored Roberts, from the muscular con of the Armstrongs to the syrup of Kathryn Kuhlman. Yet they are all, in Morris' phrase, "one-man denominations," with prayer subsidies formidable even to the Bank of America. Is it charisma? But what is that, precisely? Everyone can feel its vibrations, but the magic of it eludes definition except by metaphor—as when Mencken describes catharsis as "the feeling a hen has laying an egg."

Psychiatry is no help. Patently there is no "evangelical syndrome," neurotic or psychotic. Statistical sociology gets us nowhere, save to indicate that the Bethlehem of most of these latter-day saviors is in Oklahoma. (Although Sister Kuhlman hails from Pittsburgh.)

Morris, an objective journalist with no pretensions to profundity, perhaps comes closest when he points up two salient qualities the successful evangelists share: an ignorance not far above that of their targets, and a vast cunning about money. All sprouted from depression poverty and have shown a determination to succed in terms recognized by the society which had denied them shoes. The old-time religion of their nonage became the instrument for their compensation and vengeance. So they became God's capitalists.

The Preachers, however amusing and instructive as Americana, has two chief flaws. First, Morris is surprisingly gentle with Billy Graham, possibly because of the man's relative literacy. Yet isn't a reactionary more sinister and effective when he has smooth charm?

The other shortcoming is more serious. Hargis, McIntyre and the Armstrongs cannot be scorned—in the way Mencken excoriated Bryan—as merely noisy fools, clowns and clods. Out of conviction, opportunism or both, they inflame the ignorant with emotional appeals to unreason, in the service of right-wing po-

IN THE WATERS OF THE MOON

One would be a scholar and one
a good for nothing like her father.
One would be gifted with lemon hair
and cleverness. They must relax
about the other, not expect too much.

The one would be enough for them,
that one like a yellow lily. Snow
will turn into doves for her
and bend their necks.
Meanwhile
there was time for us to sit and listen
to the hours as they piped the green months,
time to feel the spring reaching us
and beyond us, blowing dandelions.
We played a game under the dining room table
in the room behind the candy store.
We were deep in our waterfall.
The silver fish jumped and surfaced,
plunged to feed on the anemones.
The skirt of the rock facing our face,
brocaded with violets, hid us from sight.
We knew the living stream. We built a city
on the edge of that waterfall.

We were two queens. We had a secret niche
above a secret barrel. We kept our crowns
there. When the afternoon blew like dust
outside, when the sleeping windows
closed, one queen walked her china doll,
step by golden step, to the executioner.
The dark queen commands, the gilded one
must lose her head again.

Sister like a water lily,
how clever life is at last.
On this winter night the four
uncurtained windows shine across
the miles between us. Four empty
windows, a tripod lamp inside.
A shadow moves behind the glass,
the woman is at home.

It is twilight where you are,
telling a rosary of dreams.
The sky falls in upon the tallest
buildings without a sound. Soon
looms of darkness spin
along the darkened ground.
Getting older makes no difference.

There is another daughter now,
your flickering girl of seven.
She has no sister, no china doll.
She has the name we dreamed about
as children, as if she had jumped
out of our waterfall
like one of those silver fish.

Naomi Lazard

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litical action. So-called faith healing is a quackery sorrowful in its consequences; when diabetics trade in their insulin for Christ they simply die. But when such irrationality is in tandem with vicious attacks on dissent and liberalism, the hoarse voice of reaction can be heard in the wings. Against fascism of whatever variety irony does not suffice. □

DANCE

NANCY GOLDNER

Martha Graham began her spring season at the Mark Hellinger Theatre with a lecture-demonstration and, as is her wont, she prettified the concept by naming it "Introduction to a Theatre with Martha Graham." First she spoke for some thirty minutes about creativity, technique, the special pleasure that is a dancer's, and geniuses. Next came a stylized class in which the exercises were arranged into miniature dances. Excerpts followed from *Clytemnestra*, *Appalachian Spring*, *Cave of the Heart*, *Deaths and Entrances* and *Diversion of Angels*. The evening ended with the complete *Seraphic Dialogue*, a beautiful and remarkable work because it instills lyricism into an ecstatic moment and so can present Joan of Arc both as saint and girl.

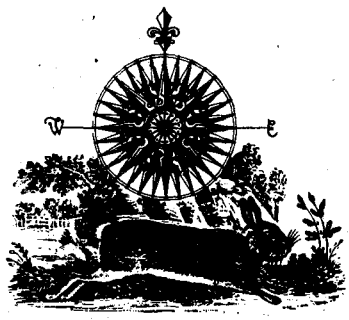
One could argue that of all choreographers Graham is most resistant to the excerpts approach because she forged her ballets as dramatic totalities rather than as divertissements on a theme. Probably many in the audience felt that the complete ballet was the only real Graham theatre and that to lift variations, as they became, out of explicitly anti-variation structures, was not only nonsensical but a betrayal of one of Graham's revolutions. She reshaped dance structure from a musical, balletic one to a psychological one. (With a few exceptions, notably Antony Tudor, her revolution skipped a generation and is just now being furthered by such unlikely champions as Robert Wilson and Meredith Monk.)

True enough, the most authentic Graham theatre was *Seraphic Dialogue*, but the excerpts also worked, and their success was an education about the nature of her choreography. The occasion was a rare opportunity to concentrate on Graham choreography as pure dance, and with this focus I found that certain selections (those from *Clytemnestra* and *Deaths and Entrances*) were markedly less satisfactory than the others. The next question must be whether the less satisfactory examples were so because they are less extractable or because the ballets they come from are lesser works. Had the selections been from Tudor the former would have been true, but with Graham I'm inclined to believe the latter, which suggests that, despite her consuming interest in what she calls "interior landscape," her ballets may be judged along traditional lines. Are the movements interesting? And so the excerpts format became less an instrument of description (which of her works are inviolate wholes?), more a measure of excellence (which of her works can stand to be violated?).

Of course, finding that the best selections corresponded with the best ballets rests on my greater capacity to be interested in the kinesthetic underpinnings of movement than in movement as a device for storytelling no matter on how sophisticated a level. What a movement looks like on the surface, from a purely visual point of view, is also important, and so is variation. Clytemnestra's incessant play with the sword with which she will kill Agamemnon parallels those should-I-or-shouldn't-I dialogues between ego and id, but the interest in watching it is more intellectual than sensual. That such moments never go deeper than the brain may be my shortcoming. To my motor paths, movements make sense according to what others precede and follow them. When they do not make sense in this choreographic context, even those movements that have integrity and beauty in the classroom, like an arabesque or back fall, become boring. Graham's rationale for a particular back fall in *Deaths and Entrances* illustrates a mode of logic that might not be applicable to choreography. In introducing the selection at the Mark Hellinger, she told the story of a woman who complained that ladies in evening gowns do not fall down. Graham agreed, but said there was another way of looking at it. Isn't it so that when a man who is greatly loved but inaccessible enters into sight your heart falls? I wonder if the connection between heart falls and back falls can be projected through play-directing techniques, which in any case are quite another set of channels from choreographic techniques.

Another snag. For what turned out to be the most thrilling section, Medea's dance of vengeance from *Cave of the Heart*, thanks are due more to the dancer than the choreographer. I refer to a few moments when Medea quivers almost imperceptibly from head to toe and draws from her bosom a long red string, which immediately becomes a

"One of those great ones that every once in a long while lets us know that the universe has something really mysteriously great 'going' for humanity."
—R. BUCKMINSTER FULLER



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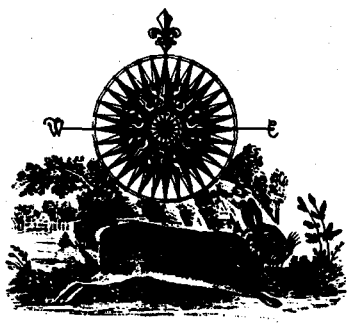

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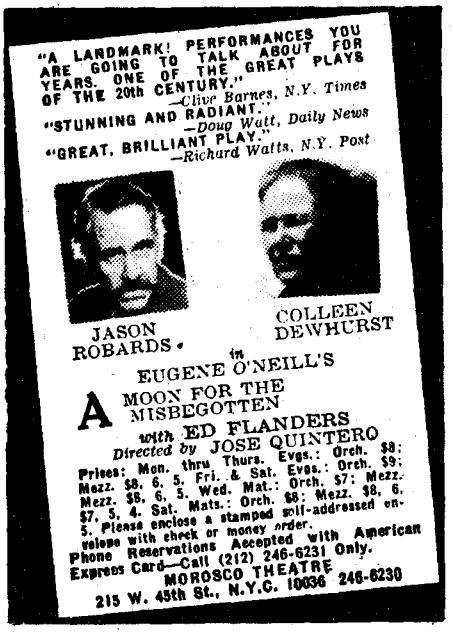
metaphor of blood and bile, and of a commonplace series of contractions that become snakelike and, more vividly, suggest an animal eating upon itself. Medea was Takako Asakawa, whose muscular control in making the quivering an almost invisible, mental passion, and calculation of how far to drive her body so that the point was made without the deed being done, mark her a great dancer. The business of figuring out if dancer carries choreographer or vice versa is usually not too difficult, but it's the extent of dependence that is crucial to Graham. Dissatisfactions with Graham ballets can be easily laid to dancers, and the trick here is to know when to consider suspending judgment.

Perhaps this dependence on performance is why Graham has been loath to revive certain works without the right dancers. From the looks of opening night only a few in the company are well-equipped—it is interesting that the lack of concentration and muscular brio shone through most glaringly in the exercises—but the only alternative is to let the repertory languish until the right dancers show up. Although this course fortunately has been abandoned, Graham's reason for presenting a lecture-demonstration—that it introduces the company as individual stars ready to take on the old roles and make them new—is wishful thinking. The prime motive for this format is that it allows Graham her moments on stage again. As a personage she is unexcelled, but her presence as personage *rather than* dancer, while not detracting from the proceedings, certainly made the evening tense.

There were enough moments in the parade of ballets to proclaim Graham a great choreographer. The classroom exercises, so bound up with the dramatic language of her ballets, clearly revealed a superb craftsman. You could see from them that her method of work paralleled one described by many great writers. First she had an image of what she wanted dancing bodies to express; then she found how to give concrete form to the image. Any reasonable member of the audience would have thought that Graham was sufficiently accomplished until she began to understand her achievements by playing raconteur, even sage. She is not a profound thinker and why should she be? At best, her remarks have the delightfully shallow profundity of epigrams; they make you think twice or thrice, but not a hundred times. She can deliver the punch lines with a withering pause or a quick jab of a smile, and with a slight catch and rise in her voice she can communicate the poignancy of her remark that a dancer's body is "a lovely and delicate thing." When she related how she punished an unruly audience by refusing to let her dancers bow at the end of the performance and instead turned her back on the audience and bowed to the dancers, and then when at the story's end she bowed deeply before us with nobility, the connections between dancing elegance and humane activity became almost burningly clear. But the more performance she put into her talk and the better she got at it, the more she drew the audience into the memory of herself as a dancer. It was a queasy experience, knowing that Graham was talking because she wasn't dancing and that the truly viable present—after all, this season brings two new ballets—just won't do. So the audience must suffer Graham's traumas with her, but how strange it is that the person whose best ballets were presupposed on the audience's strength to see what's there now asks the audience to see what's not there. □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LOBO

The mind is a wolf
with a hungry belly,
it ranges the edges
of the whiskery night
in the fibrous cold
shopping the burrows of hares.
An instant snap
in the icy thicket
and it kills and bolts,
then rotates in a coil
to rest its face on its tail
with a grim grin—
and turns within.

Andrew Glaze

ART

LAWRENCE ALLOWAY

The Montclair Art Museum, Montclair, N.J., has hung a Betty Parsons retrospective exhibition (until May 19). She is, of course, a dealer, but the show consists not of the artists she has shown (they include Barnett Newman, Jackson Pollock and Agnes Martin) but of her own work. That she is herself an artist distinguishes her from other established dealers. I can see dealers as dentists, tailors, income tax accountants, insurance salesmen and travel agents; I can see dealers running a service agency or a real estate company; I can envisage dealers as working for the CIA and as graduates of the Harvard Business School and as serving at Saks Fifth Avenue in the men's department, but I can't see most of them as painters or sculptors.

Art dealing is not a profession like, say, architecture or medicine. There is an organization called the Art Dealers Association, but it exercises very little influence on the conduct of its members and can impose no penalties on non-members. It exists to confer prestige on the occupation, rather in the way that Hollywood presents itself with Oscars: it is a system of interested people professing respect for one another. (Characteristically, it was not the ADA that initiated the present suit against Marlborough Fine Art Ltd., in the matter of the Mark Rothko estate.)

Cooperative galleries, run by the artists themselves (from the Tanager Gallery in the 1950s to A.I.R. in the 1970s) are not comparable, for there the artists are showing their *own* work. Betty Parsons was trained as an artist (she studied sculpture with Bourdelle in Paris and with Archipenko in Los Angeles), but her gallery is devoted to other artists' work. As an artist she has exhibited steadily since her first one-man show in New York in 1936, but at other galleries. Montclair is her second retrospective; the first was six years ago at the Whitechapel Art Gallery, London.

In *The Nation* in 1949, Clement Greenberg wrote: "The closing of the Kootz Gallery at the end of the 1947-48 season left a big gap. There are only a few places, relatively, that show or are at all interested in advanced painting by Americans, and they play a role disproportionate to their numbers, their financial strength, and the amount of work they circulate. They are the places in which American art happens today. Samuel Kootz's gallery had made itself the focus, along with Betty Parsons', of all that was most alive, serious, and ad-

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venturous in contemporary American art." (In the event Kootz soon reopened, though with an ever less adventurous group of artists.) Thomas B. Hess has contributed to the catalogue of the Montclair exhibition a text in which he places Parsons correctly with Peggy Guggenheim, Sam Kootz and Charles Egan as pioneers in the distribution of American art in the 1940s. Hess points out that the Parsons Gallery is the only one still in business, which raises a characteristic of galleries: they are usually one-generation businesses, built on somebody's eye or contacts or enterprise. Galleries specializing in the sale of modern art rarely have an ongoing structure. Peggy Guggenheim returned to Europe after the end of World War II, Kootz died, and Egan dropped out.

Betty Parsons is showing paintings, sculpture and drawings in considerable density. She may be a Sunday painter, but to her weekends must be added summers (galleries, of course, close from June through September) and nights. Her later sculpture consists of weathered wood, painted and assembled into engaging polychrome objects. Her paintings are abstract, often with a lively judgment in the binding of the edges of the paintings into the total image, a device she probably learned in the first place from Clyfford Still, once with the gallery.

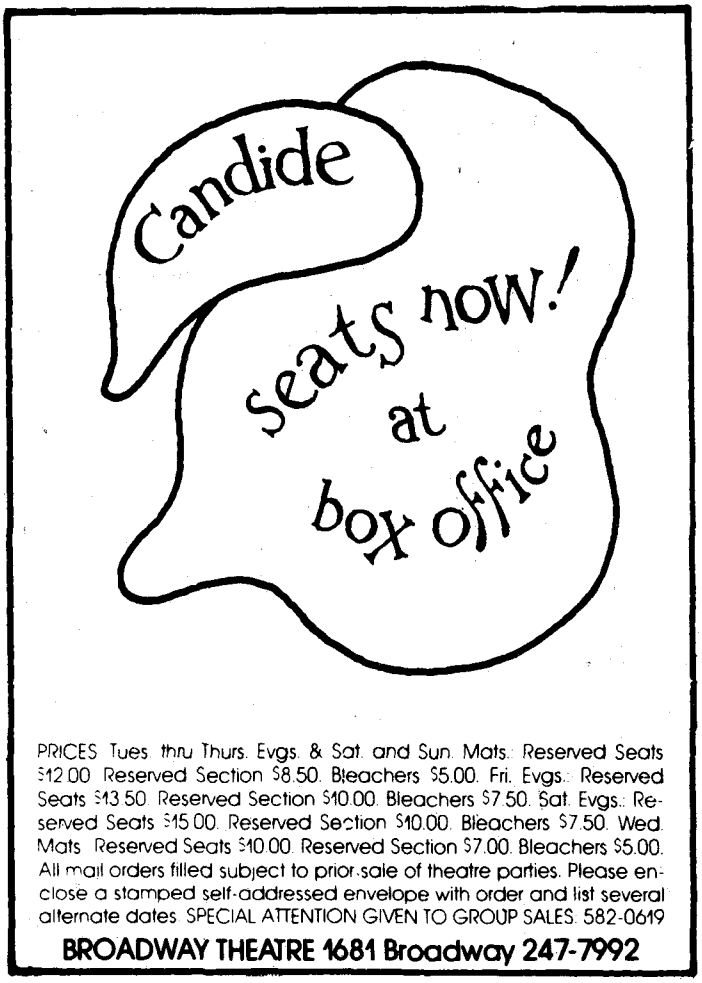
Her imagery is persistently evocative of nature, not in terms of specific topography but as effects of light or color, the seasons or the sky. She has an acute color sense, which shows, for instance, in the way she will introduce sudden shards of clear blue into a tawny red and orange field. Her drawings, which are close to a journal in their casual and straightforward intensity, give a clue to the reading of the paintings. She is cued by the color wherever she finds herself, by an evening sky, a flowering tree, a rock, plumage, and these remain, within the format of Abstract art, the basis of her work. Hers is an associative Abstract art not sealed off from nature by a canon of concreteness, but infiltrated by roots, lit by the sun, and washed by the sea.

This kind of Abstract painting is interesting for its intimate relation to the artist's life. She began painting in an Abstract mode in 1947, in which year her gallery showed Rothko, Hans Hofmann and Still. She had been to a rodeo and was trying to paint it from memory; she failed to do it until she left out the horses, the riders and the tents, keeping colors and rhythmic forms suggested by and suggestive of the event. The Abstract painters she showed were all concerned with the role of human feeling in Abstract art, not at all with geometric form, nor with symbolizing a technological society. Thus it was a logical step for Parsons herself to devise a form of indirect representation, in which the vivid notations of a sketching journal were conjoined with the free color and expressive brushwork of Abstract Expressionism. That it turned out to be a sustaining personal projection of American painting can be seen from an exhibition which concludes with four vigorous paintings of 1973, as commanding and subtle in color as ever. □

FILMS / Robert Hatch

After what seems a long time, Italy has sent us another really fine picture—*Love & Anarchy*. It is written and directed by Lina Wertmuller who, despite her name, is Italian. Without strain or pretension, the film develops a complex of moral and emotional levels that is compelling as fiction and worth attention as comment on the human condition. Ms. Wertmuller's range is striking: wit, slapstick, bawdry; tenderness, brutality, courage; jealousy and generosity; physical love and sexual commerce—she has a gift for assigning their just weight to the widest possible variety of impulse and action, putting her characters forward with full appreciation of their quality.

When I say that *Love & Anarchy* is set in a Roman bordello during Mussolini's heyday, that the number-one whore is a dedicated anarchist and member of a terrorist cell, that the hero is a rough countryman visiting Rome for the first time in his life in order to assassinate Il Duce, that he and another girl of the establishment fall ingenuously and beautifully in love, it may seem that the picture is melodramatic, not to say bizarre. It is indeed, but less and less so as the time passes; that is the virtue of the work. One comes to know these three and their associates remarkably well, and the better one comes to know them the closer their situation relates to experiences and sensations that most people



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share to one degree or another. A whorehouse is in any case an island in a community, a place of license surrounded by propriety, and in this isolated property—here a fascinating warren of corridors and sanctuaries, furnished in an astoning bourgeois taste gone randy—one soon takes the trade for granted and responds to a relationship among the three principals that is developing with feverish speed under a sentence of almost certain death. The orientation is made much easier by the bias of the director, who acknowledges lust with amused incuriosity, but is really haunted by the commitments of trust and love her people make to one another.

The story is a triangle of sorts. Tunin (Giancarlo Giannini) is by no means politically conditioned to kill a tyrant; he is, as he says, simply a farmer, but when an old friend of his family, a man who is indeed an anarchist, is killed by the police, he also says that he found he had "had enough," and appointed himself to carry out the other's mission. He appears at the bordello as the "cousin" of Salome (Mariangela Melato), a blondined, horse-faced woman of flamboyant audacity. She finds Tunin's awkward reticence touching; he puzzles her. But he meanwhile has been attracted to Tripolina (Lina Polito), a much quieter if similarly wanton girl. The three go off on a raucous motorcycle-and-sidecar Sunday outing with one of Mussolini's bravos (Eros Pagni), whom Salome is cultivating for his loose tongue and who fancies himself the phallic image of his leader. During the afternoon, Tripolina offers herself to Tunin with an exaggerated coarseness undertaken as self-protection against her feelings; he rejects the whore, embraces the girl and they embark on a two-day "honeymoon," bought from the madame by removing from her house a dying client of awkward prominence.

At dawn of the third day Tunin is to keep his appointment with Mussolini; he is terrified, but stubbornly convinced ot what he must do, though by now considerably less clear as to how he got himself into this fix. Here the approaching tragedy snaps shut. Tripolina will not waken her lover when the hour comes, nor will she permit Salome to do so. In their different ways, they both love him too much to let him go off on an almost certainly futile errand to a perfectly certain death. What they don't consider is the consequence of tricking a man as simple, direct, terrified and determined as Tunin; they cheat him into betraying himself, and destroy him as he sleeps. There is an inevitability about it all that catches at your heart.

SHEPHERD

I dream of horses
and your hooved face trails me
daylong, in and out concrete pastures
of papers pigeons smoke

and if I dream the ocean
you stipple my rhythm
with a thick island grove, you are
a mass of seaweed rooted to my feet
curling unfurling multiplying
any tidal gesture

if I see dancers
you are the flying glass shoes
and polished veins
on bare feet

in garden dreams
you tower my roses
in blinding blossom

your prismatic down
plumps my grass pillow,
a dreamer dreamed, you are
the shepherd who brings the rainbow
grazing on my sleep.

D.L. Evenson

What comes after is indeed melodrama of a particularly bloody sort. I am sorry that Wertmuller did not cut her film short (there is an obvious spot ten minutes from the end, when the door of a police car shuts on Tunin). It is not that I think the brutality of the Fascists exaggerated but that her subject is the strength and vulnerability of men and women under pressure, not the demonstration of Fascist brutality. The closing scenes of horror are out of key with the human values of her story. Fascism in this instance is a kind of malign *deus ex machina* and the old Greek formula applies—nemesis controls events, but the blood is more effectively shed offstage.

The film opens wtih a montage of news photos of Mussolini in triumph, which similarly seemed to me overmanipulative of the audience. The director apparently felt that her compelling account of human conduct should be set in a frame of political advocacy, but anti-Mussolini propaganda is not needed very urgently thirty years after his dismal death. As for the opposition of humanity to tyranny in general terms, Tunin, Salome and Tripolina make their case very well without the rhetoric of righteous indignation. But my objections are peripheral and the passages that troubled me are brief—*Love & Anarchy* in its main body is a rollicking, earthy, poignant and quite glorious film. □

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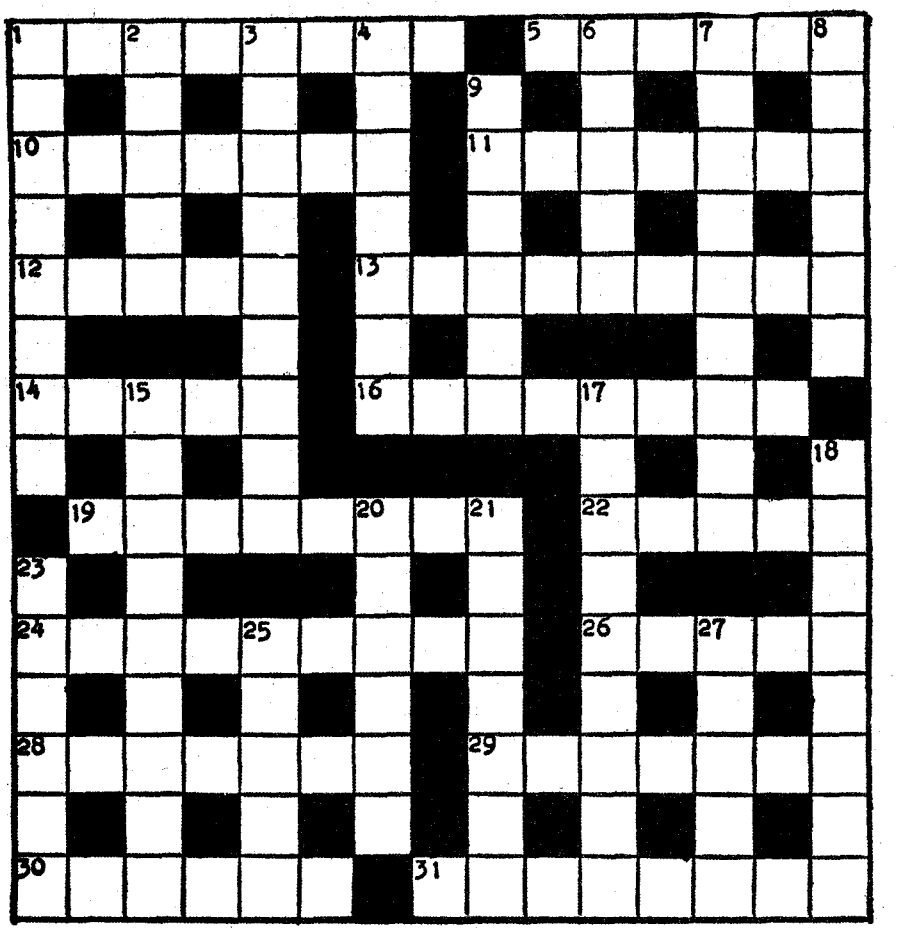
Crossword Puzzle No. 1536

FRANK W. LEWIS



ACROSS

1 It might be ripe next, but not very good.
5 Might be all wound up at this time. (6)
10 and 29 Typically salt, pepper, vinegar and mustard—they're all here someplace! (3,4,7)
11 Made up into a perfect example. (7)
12 Walk in 5? (5)
13 Not calculated to please the eye, if offered by the terrorist, though someone saw through it during a raid. (9)
14 Having one, you might expect to be in a class by yourself. (5)
16 One changes sides when the groove appears backward, with someone like the sergeant getting at the rest! (8)
19 An Easter composition? (8)
22 It might mean money, like when going down! (5)
24 Where some Germans sat and brought out the cigars. (9)
26 During chronic headaches, one might expect a recess. (5)
28 Mink? Dog? (Variations of the animal type.) (7)
29 See 10 across
30 See 15 down
31 We may have ours, seeing the flag is in tattered condition. (8)

DOWN

1 *Close* it up when the prisoner is around! (8)
2 Equivalent to a sort of rime. (5)
3 Proving a farm worker might get to hop slower! (9)
4 Certainly not a well-done part of the course. (7)
6 They might not have enough water to lift the ship. (5)
7 Exists where you might expect to find drinking water, mainly gelatin, but perhaps mica. (9)
8 Like civets, or perhaps horses. (6)
9 Whoever puts two and two together, following 5. (6)
15 and 30 Title of Leo, after the fall. (3,4, 2,6)
17 Not those letters the gullible expect to profit from. (If one tilted, this might help.) (5,4)
18 Emphasizes what modern man may be subjected to. (8)
20 Fall between 9 and 30. (6)
21 Part of the 9 to take a city. (7)
23 Work up a head of 28 inside. (Polish might well be acquired here.) (6)
25 Perhaps border decisions might be delayed if you do. (5)
27 An antic is out-of-date for one. (5)

SOLUTION TO PUZZLE NO. 1535

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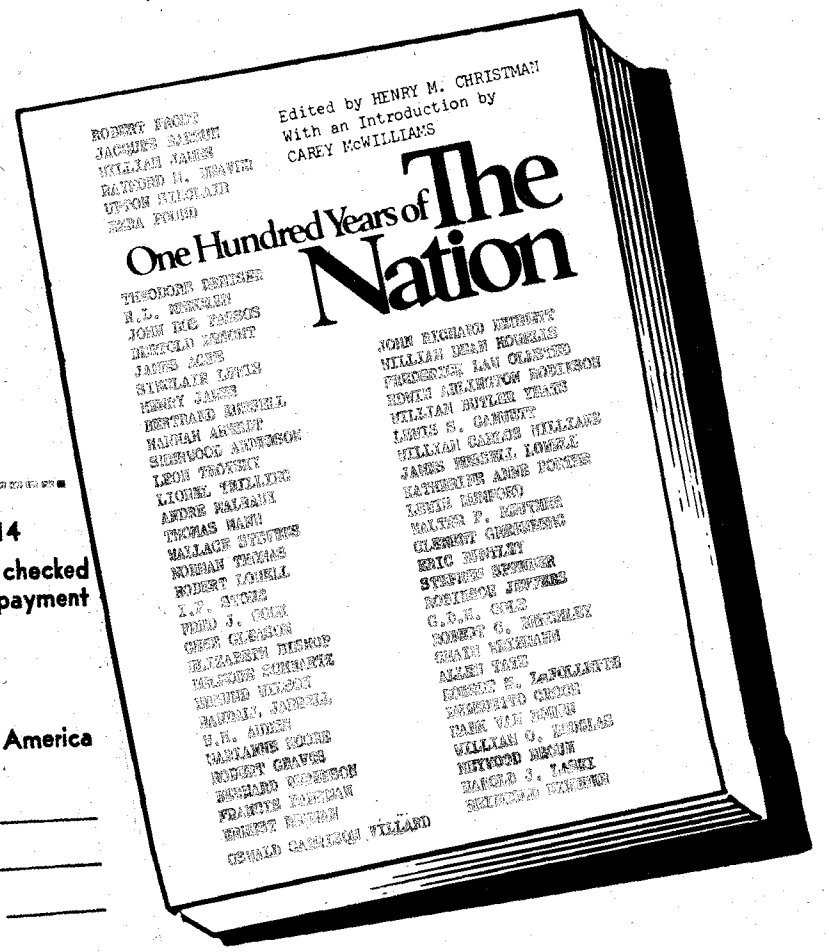

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